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July 8, 1994

Michael Paul Wille
SID # 6408976
Oregon State Penitentiary
2605 State Street
Salem, OR 97310-0505

Re: *Petition for Public Records Disclosure Order:*
Washington County Trial Court Records

Dear Mr. Wille:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on July 6, 1994, asks the Attorney General to direct the Washington County Trial Court Administrator to provide certain records concerning case no. C890382CR, and grand jury records for March 10, 1989. For the reasons that follow, we respectfully deny your petition.

The Attorney General may order a state agency to disclose records only where the agency has first denied a request for the records. ORS 192.450(1). In this case Bradd Swank of the State Court Administrator's office informs us that the Washington County Trial Court Administrator's office responded to your request on June 29, 1994 and provided those records which were in their custody. The Administrator is obligated to provide only those records for which she is the custodian. See ORS 192.430, 192.440. Because the Trial Court

Administrator has not denied your request, and has provided the requested records, the Attorney General has no authority to order disclosure. Accordingly, your petition is denied.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:LRR:AV:cfs/JGG09EE0
c: Bradd Swank, Management/Legal Analyst
Office of the State Court Administrator
Supreme Court Building
1163 State Street
Salem, OR 97310

Sandra Officer
Washington County Trial Court Administrator
Washington County Courthouse
145 NE Second
Hillsboro, OR 97124