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November 3, 1993

Robert Thuemmel
THUEMMEL & UHLE
210 SW Morrison, Suite 600
Portland, OR 97204

Re: **Petition for Public Records Disclosure Order:**
Oregon State Police Records

Dear Mr. Thuemmel:

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 October 27, 1993, asks the Attorney General to direct the Oregon State Police (OSP) and its employees to make available various documents concerning the Intoxilyzer 5000.

Your petition does not indicate that the OSP have denied your request, see ORS 192.470(1), and Lieutenant Brooke of the OSP informs us that that agency has not received your request. Absent a request to and a denial by the State Police, the Attorney General does not have jurisdiction to order disclosure. ORS 192.450(1). Your petition is premature and is, therefore, denied.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

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