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ATTORNEY GENERAL
STATE OF OREGON

JAMES E. MOUNTAIN, JR.
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400

October 15, 1990

Norman E. Tedder
No. 41053
2605 State Street
Salem, OR 97310

Re: **Petition for Public Records Disclosure Order; Clackamas County District Attorney Records**

Dear Mr. Tedder:

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 October 11, 1990, asks the Attorney General to order the Clackamas County District Attorney to disclose a variety of records. We must decline to consider your petition.

ORS 192.480 provides in relevant part:

> "In any case in which a person is denied the right to inspect or to receive a copy of a public record in the custody of an elected official, or in the custody of any other person but as to which an elected official claims the right to withhold disclosure, no petition to require disclosure may be filed with the Attorney General * * *, or if a petition is filed it shall not be considered by the Attorney General * * * after a claim of right to withhold disclosure by an elected official."

The Clackamas County District Attorney is an elected official. Your petition asks the Attorney General to review his actions under the Public Records Law. ORS 192.480 bars the Attorney

General from doing so. See, e.g., Public Records Order, July ~~November~~ 13, 1990 Hingson III. Accordingly, we must respectfully deny your petition.

Sincerely,

PAMELA L. ABERNETHY
Special Counsel to the
Attorney General

PLA:RDW/bjs/9550G
c: James W. O'Leary
Clackamas County District Attorney
Clackamas County Courthouse
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