THEODORE R. KULONGOSKI
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DEPARTMENT OF JUSTICE
1162 Court Street NE
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Salem, Oregon 97310
Telephone: (503) 378-4400
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May 20, 1996

Carl Glen Smith
OSP #7475960
2605 State St. N.E.
Salem, OR 97310

Dear Mr. Smith:

We received your letter on May 16, 1996. You asked for "an update or conclusion" on the status of the records you requested by filing a petition for public records disclosure with the Attorney General. Our office issued a Public Records Order on April 9, 1996 (copy enclosed). That order resolved the matter and there is no further action that this office will be taking with regard to your dispute with Mr. Bettis for the records you have been attempting to obtain. You will need to deal directly with Mr. Bettis regarding the material you are asking him to provide.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:jpl/

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GENERAL COUNSEL
DEPT. OF JUSTICE
SALEM, OREGON

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April 9, 1996

Carl Glen Smith
#7475960
EOCI
2500 Westgate
Pendleton, OR 97801

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

Dear Mr. Smith:

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 April 2, 1996, asks the Attorney General to direct the Umatilla County Trial Court Administrator to make available all records related to Umatilla Circuit Court Case CV-951236. For the reasons that follow, we respectfully deny your petition.

The Trial Court Administrator's office responded to your written request by providing the records you requested to your attorney of record. We have been informed by Bradd Swank of the State Court Administrator's office that the Trial Court Administrator will be communicating directly with you by letter to inform you of the copy charges involved if you wish to have the records sent directly to you. Because your request for disclosure of the records has not been denied, the Attorney General has no authority to order disclosure of the records. *See* ORS 192.450. Accordingly, your petition for an order requiring disclosure of public records is denied.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

LRR:AV:lrr/JGG0D7D9
c: Bradd Swank, Office of the State Court Administrator
Lynn Cutrell, Umatilla County Trial Court Administrator