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DEPARTMENT OF JUSTICE
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November 20, 1996

Dean Jorgensen
P.O. Box 728
Donald, OR 97020

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

Dear Mr. Jorgensen:

This letter is the Attorney General's order on your petition for disclosure of records under the Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on November 13, 1996, asks the Attorney General to direct the Clackamas County Trial Court Administrator, James Shofner, to produce a copy of certain records related to traffic citation B397467.[1/]

For the reason that follows, we respectfully deny your petition. Your petition states that you never received the records you requested by a letter to Mr. Shofner dated October 13, 1996. We have discussed your petition with Brad Swank in the State Court Administrator's office. Mr. Swank informs us that Mr. Shofner has no

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[1/] You also provided us a copy of a similar request which you indicated you were sending to Mr. Leron Howland, Superintendent of the Oregon State Police. You indicated that you have "grave doubts" that Mr. Howland would respond to your request and requested our assistance. Because you filed your petition with this office on the same date that you requested the records from the Oregon State Police, we are not treating this request as a petition for disclosure of records as that agency has not yet had an opportunity to receive and respond to your request. There has not yet been a denial of a request for public records. ORS 192.450.

record of having received your request. Mr. Swank further informs us that he has provided a copy of your letter to Mr. Shofner, and that Mr. Shofner will review the request and respond to you directly. Because the agency did not deny access to the records, the petition is denied as premature.

Sincerely,

THOMAS A. BALMER
Deputy Attorney General

TAB:LRR:lrr/jpl:JGG0EE2B

c: Bradd Swank
Management/Legal Analyst
State Court Administrator's office
Supreme Court Building
Salem, OR 97310

Jim Shofner
Clackamas County Trial Court Administrator
104 Clackamas County Courthouse
807 Main Street
Oregon City, Or 97045