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DEPARTMENT OF JUSTICE
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August 21, 1996

Brent C. Whitmore, SID # 8409080
Oregon State Penitentiary
2605 State Street
Salem, OR 97310-0505

RE: *Petition for Public Records Order: Research Foundation/Inheridance Foundation*

Dear Mr. Whitmore:

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 August 14, 1996, asks the Attorney General to direct "the Dir" (which we presume to mean "director") of the "Research Foundation/Inheridance Foundation" to make available the records such as mineral rights papers, real estate rights of minerals and names of licensing of allotments, federal checks, receipts and records and check stubs, loan account and audit records under account numbers 8409080 and SSS 544-86-3876, all of which are apparently in your property box.

We respectfully deny your petition because you have not made your request to, or had your request denied by, any identifiable custodian of public record. Your petition does not identify who denied your request. The respondent on your petition is identified only as "Research Foundation/Inheridance Foundation." We have been unable to identify such a foundation or foundations within the Oregon Department of Corrections or the Oregon State Penitentiary. Therefore, we deny your request for records because there is no indication that you made your request to a specific custodian or that the custodian has denied your request.

We note that, in a letter to you dated June 26, 1996, denying a prior petition for a public records order, we specifically identified Corporal Tom Schavland, the Property Officer of your records in the Intensive Management Unit of the Oregon State Penitentiary, as the custodian of

your property box and informed you that you should make a proper written request for records to Corporal Schavland. *See* OAR 291-32-015(2).

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:JGR:AV:prv/JGG0E573.W51
c: Cpl Tom Schavland, Property Officer, IMU
Oregon State Penitentiary