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October 7, 2004

Herbert R. Johnson
SID #4958005
Santiam Correctional Institution
4005 Aumsville Hwy S.E.
Salem, OR 97301

Re: Petition for Public Records Disclosure Order:
Marion County Trial Court Records

Dear Mr. Johnson:

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 1, 2004, asks the Attorney General to direct the Marion County Trial Court Administrator to produce a copy of a transcript for Case No. 00C33208. For the reason that follows, we respectfully deny your petition.

The Public Records Law confers a right to inspect and obtain copies of any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.410. The Public Records Law provides that a person denied a right to inspect or receive a copy of a public record by a state agency or official may petition the Attorney General to order the release of the public record. ORS 192.450(1).

We spoke with Bradd Swank, Special Counsel, Government Relations, of the Judicial Department about your petition. Mr. Swank told us that, according to the staff at

the Marion County Trial Court Administrator's office, there is no transcript for Case No. 00C33208, because no hearings were held in that matter. Because the record does not exist, we deny your petition.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

PDS:AGS14542

c: Bradd Swank, Special Counsel, Government Relations, Judicial Department
James Murchison, Marion County Trial Court Administrator