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September 7, 2004

Donald Fontenot
Oregon Chapter Sierra Club
2230 SE Oak Street
Portland, OR 97214

Re: Petition for Public Records Disclosure Order:
Oregon Department of Forestry Records

Dear Mr. Fontenot:

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 30, 2004, asks the Attorney General to order the Department of Forestry (Department) and its employees to make available for inspection, or to produce copies of, certain records. For the reason that follows, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. However, the Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1).

Your petition, dated August 27, 2004, states that you had not received any of the requested records from the Department. We spoke with Cassandra Webber, the Department's Public Records Coordinator, about your petition. She told us that the Department sent you the records responsive to your request on the date of your petition, August 27, 2004. Because the Department has disclosed the requested records, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

PDS:AGS14465
c: Cassandra Webber, Public Records Coordinator, Oregon Dept. of Forestry