



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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23-ORD-050

March 7, 2023

In re: Carlos Harris/Eastern Kentucky Correctional Complex

Summary: This Office cannot find that the Eastern Kentucky Correctional Complex (“the Complex”) violated the Open Records Act (“the Act”) when it provided what the Appellant considers to be records different than those he requested.

Open Records Decision

Inmate Carlos Harris (“the Appellant”) submitted a request to the Complex to inspect “[a]ll reports/records from” a specific employee “where [the employee] submitted and authorized [the Appellant’s] medical visits to” two specific “off-site specialist[s]” from August 1, 2022 to January 10, 2023. The Complex provided what it considered to be all responsive records. This appeal followed.

The Appellant alleges the Complex provided him with records “that were not what [he] requested.” The Complex claims “the requested records were provided to [the Appellant] in full.” This Office cannot resolve factual disputes between a requester and a public agency about the content of the records produced. *See, e.g.*, 22-ORD-246; 22-ORD-010; 19-ORD-083; 03-ORD-061; OAG 89-81. Consequently, this Office is unable to find that the Complex violated the act when it provided what it considered to be all records responsive to the request.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Pursuant to KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that

action or in any subsequent proceedings. The Attorney General will accept notice of the complaint e-mailed to OAGAppeals@ky.gov.

Daniel Cameron
Attorney General

s/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

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Distributed to:

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