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24-ORD-012

January 17, 2024

In re: Mike Doyle/Louisville Metro Government

**Summary:** The Louisville Metro Government (“Metro”) violated the Open Records Act (“the Act”) when it did not respond to a request to inspect records.

***Open Records Decision***

On November 14, 2023, Mike Doyle (“Appellant”) submitted a request to Metro seeking “any documents and communications between the open records department and Metro parks” between October 1 and November 14, 2023. Having received no response by December 19, 2023, the Appellant initiated this appeal.

Under KRS 61.880(1), upon receiving a request for records under the Act, a public agency “shall determine within five (5) [business] days . . . after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” On appeal, Metro admits it failed to respond to the request. Accordingly, Metro violated the Act when it failed to issue a timely response within five business days.<sup>1</sup>

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under 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 emailed to [OAGAppeals@ky.gov](mailto:OAGAppeals@ky.gov).

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<sup>1</sup> Metro states that it has since provided responsive “documents.” Metro further states that the Appellant has narrowed the parameters of the “communications” he requested and it “is nearing completion of the narrowed search for ‘communications.’”

**Russell Coleman**  
**Attorney General**

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

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Distributed to:

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