



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-122

May 14, 2025

In re: Joshua Adams/Montgomery County Jail

Summary: The Office cannot find that the Montgomery County Jail (“the Jail”) violated the Open Records Act (“the Act”) because the Office cannot resolve the factual dispute between the parties concerning receipt of a request for records.

Open Records Decision

On March 14, 2025, inmate Joshua Adams (“Appellant”) submitted a request to the Jail for “any and all documents, Jail video footage, and collect recorded telephone calls [sic] records which directly relate to [him] by name or directly relate to” a specified Bullitt Circuit Court case number. On April 10, 2025, having received no response from the Jail, 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.” Here, the Appellant claims the Jail failed to respond to his March 14 request. However, the Jail states that it was unaware of the request until it received notice of this appeal on April 21, 2025. Because the Office cannot adjudicate disputed issues of fact, such as whether an agency received a request to inspect records, the Office cannot find that the Jail failed to respond in a timely manner. *See, e.g.*, 22-ORD-010. Accordingly, the Office cannot find that the Jail violated the Act.¹

¹ On appeal, the Jail notified the Office that it has provided the Appellant with all responsive records within its possession.

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.

Russell Coleman
Attorney General

/s/ Matthew Ray
Matthew Ray
Assistant Attorney General

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Distributed to:

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