



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-412

December 18, 2025

In re: Uriah Pasha/Little Sandy Correctional Complex

Summary: The Office cannot find that the Little Sandy Correctional Complex (“the Complex”) violated the Open Records Act (“the Act”), because the Office is unable to resolve the factual dispute between the parties.

Open Records Decision

Inmate Uriah Pasha (“Appellant”) submitted a request to the Complex for a “copy of the menu for the special diet medical ordered for [him].” The Complex granted the request and provided one page of responsive records.¹ The Appellant initiated this appeal, claiming the record the Complex provided is not the record he requested.²

The Office has previously found that it cannot resolve a factual dispute between the parties to an appeal. *See, e.g.*, 22-ORD-010 (declining to resolve a factual dispute that the records received were different from the records requested). Here, the Appellant claims his request was for the “menu for [his] special diet not the special diet request form.” On appeal, the Complex asserts that it “reasonably construed the [request] to be asking for a copy of the Order that describes the type of menu or diet that was prescribed for [the] Appellant.”³ A factual dispute exists

¹ The record provided is entitled “MEDICAL DIET ORDER” and lists the diet as “other High Protein, low carb diet.”

² The Appellant also raises allegations related to “Elder Abuse” and the Complex violating KRS Chapter 207. However, allegations such as these, which do not involve an assertion that the Act was violated, are beyond the scope of this appeal under KRS 61.880(2), and therefore, the Office cannot resolve them.

³ A public agency does not violate the Act when it makes a reasonable construction of an ambiguous request and acts accordingly. *See, e.g.*, 25-ORD-133; 22-ORD-240; 20-ORD-153.

between the Appellant and the Complex as to whether the records he received are responsive to his request. The Office cannot resolve this factual dispute. Thus, the Office cannot find that Complex violated the Act.⁴

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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⁴ On appeal, the Complex states it “performed a second diligent search and determined that it does not possess any additional responsive records.” Once a public agency states affirmatively that no further responsive records exist, the burden shifts to the requester to make a *prima facie* case that additional records do exist. *See Bowling v. Lexington-Fayette Urb. Cnty. Gov’t*, 172 S.W.3d 333, 341 (Ky. 2005).