



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-019

January 15, 2026

In re: Kyle Thompson/Green River Correctional Complex

Summary: The Office cannot find that the Green River Correctional Complex (“the Complex”) violated the Open Records Act (“the Act”) because the Office cannot resolve the factual dispute between the parties.

Open Records Decision

On December 1, 2025, inmate Kyle Thompson (“Appellant”) submitted two requests to the Complex regarding his medical records. On December 8, claiming he had received no response from the Complex, the Appellant initiated this appeal.

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.” KRS 61.880(1). Here, the Appellant claims he submitted his requests to the Complex on December 1, and that as of December 8, he had yet to receive any response from the complex. On appeal, the Complex admits it received the Appellant’s requests and asserts that, upon receipt of the requests, it “immediately mailed” a form for the Appellant to fill out and return so that his request “would be processed.”¹

The Office has regularly found that it is unable to resolve factual disputes between a requester and a public agency, such as whether an agency received a request or a requester received a response to it. *See, e.g.,* 23-ORD-276 (factual dispute

¹ Specifically, the Complex states it provided a “Records Request form B-010-1-CRCC” for the Appellant to fill out and return, but that the Appellant declined and informed the Complex that he would file an appeal.

as to whether a requester received a response to his request). Similarly, here, the Office cannot find the Complex violated the Act because the Office cannot resolve the factual dispute between the parties as to whether the Appellant received the Complex's response to his December 1 requests.²

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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² The Complex also states on appeal that it “provided appellant with the requested records unredacted at no cost and provided him the opportunity to review the records as requested.”