



COMMONWEALTH OF KENTUCKY  
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26-ORD-040

February 5, 2026

In re: Daniel Woodie/City of Park Hills

**Summary:** The Office cannot find that the City of Park Hills (“the City”) violated the Open Records Act (“the Act”) because the Office is unable to resolve the factual dispute between the parties.

***Open Records Decision***

On December 23, 2025, Daniel Woodie (“the Appellant”) submitted two requests for records to the City related to various City expenses. On the same day, the City acknowledged receipt of the requests. On January 13, 2026, having allegedly received no further response from the City, the Appellant initiated this appeal.

Under KRS 61.880(1), a public agency must decide within five business days whether to grant a request or deny it and “notify in writing the person making the request, within the five (5) day period, of its decision.” This time may be extended under KRS 61.872(5) when records are “in active use, in storage or not otherwise available,” but only if the agency “immediately notif[ies] the applicant” and gives “a detailed explanation of the cause . . . for further delay and the place, time, and earliest date on which the public record will be available for inspection.”

Here, the Appellant claims that, as of January 13, 2025, he had yet to receive a substantive response to his requests. He points to the City’s December 23 acknowledgement, which was issued within five business days but neither disposed of the request nor gave a detailed explanation of the reason for delay and a specific date when records would be made available to the Appellant. Rather, the City merely stated the requests had been “forwarded to the city attorney.” The Appellant thus claims the City failed to issue a timely response.

On appeal, however, the City asserts that, on January 5, 2026, it issued a timely response to the Appellant's requests. As proof, it provides a copy of that response.<sup>1</sup> In reply, the Appellant claims the City's January 5 response is not genuine but was "fabricated after the 5 days expired." The Office has routinely found that it is unable to resolve factual disputes between a requester and a public agency, such as whether a requester received a response to his request. *See, e.g.*, 23-ORD-276. Accordingly, the Office cannot find that the City violated the Act because the Office cannot resolve the factual dispute between the parties as to whether the City timely issued its response dated January 5, 2026.

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).

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

/s/ Matthew Ray  
Matthew Ray  
Assistant Attorney General

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Distributed to:

Daniel Woodie  
Kathy Zembrodt  
Julie Alig  
Daniel R. Braun

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<sup>1</sup> January 5, 2026, is the fifth business day following December 23, 2025. In the City's January 5 response, it denied the Appellant's requests because he is "not a resident of Kentucky." The Office has found on several occasions that the Appellant is not a resident of the Commonwealth for purposes of the Act. *See* 26-ORD-033; 26-ORD-032; 26-ORD-031; 25-ORD-397; 25-ORD-156. Here, however, because the Appellant based his appeal on the City's alleged failure to respond to his requests, the Appellant's residency is not at issue.