



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-100

March 16, 2026

In re: Michael Vaughan/Department of Corrections

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

***Open Records Decision***

On January 30, 2026, Michael Vaughan (“Appellant”) submitted a request to the Department for three categories of “records pertaining to” him.<sup>1</sup> On February 15, 2026, having received no response from the Department, 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 Department did not respond to the Appellant’s request within five business days. However, on appeal, the Department explains it did not respond to the Appellant’s request because it did not receive it because the request was submitted to the wrong email address.<sup>2</sup>

Thus, a factual dispute exists between the parties as to whether the Department received the Appellant’s request for records. The Office has previously

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<sup>1</sup> The Appellant submitted his request by email to [KDOC.OpenRecords@ky.gov](mailto:KDOC.OpenRecords@ky.gov).

<sup>2</sup> The Department states that the correct email address for submitting records requests is [correctionsopenrecords@ky.gov](mailto:correctionsopenrecords@ky.gov).

found that it is unable to resolve factual disputes between a requester and a public agency, such as whether an agency received a request. *See, e.g.,* 24-ORD-184 (declining to resolve factual dispute as to whether an agency received a request). Accordingly, the Office cannot find the Department violated the Act because the Office cannot resolve the factual dispute between the parties as to whether the Department received the Appellant's January 30, 2026, request.

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:

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