



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

RUSSELL COLEMAN  
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE  
SUITE 200  
FRANKFORT, KY 40601  
(502) 696-5300

26-ORD-133

March 30, 2026

In re: Dennis Conley/City of Raceland

**Summary:** The City of Raceland (“the City”) violated the Open Records Act (“the Act”) when it failed to respond to a request.

***Open Records Decision***

On February 20, 2026, a group of 43 individuals, including Dennis Conley (“Appellant”) submitted a request to the City for records related to a City employee’s dismissal. On March 2, 2026, having received no response from the City, 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 submitted a request to the City on February 20, and as of March 2, he had yet to receive a response. On appeal, the City admits it failed to respond to the Appellant’s request.<sup>1</sup> As a result, the City violated the Act when it failed to respond to a request.<sup>2</sup>

---

<sup>1</sup> The City states that it “issued a written response to the requester advising that, due to the need to review and compile the requested records, the City anticipated providing responsive materials on or before March 6, 2026.”

<sup>2</sup> Under KRS 61.872(2)(a), a public agency’s official custodian of records “may require a written application, signed by the applicant and with his or her name printed legibly on the application, describing the records to be inspected.” “[T]o invoke the Office’s jurisdiction, the person seeking to enforce the Act by appeal to the Attorney General must be the same person who submitted the request for records.” 25-ORD-180; *see also* KRS 61.880. It is not immediately apparent that the request here, which includes only the first names of multiple individuals, meets the requirement that the application be “signed by the applicant.” Nor is it apparent that the person seeking enforcement of the Act can be considered the same person who submitted the request for records. However, because the City has not

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/ Zachary M. Zimmerer  
Zachary M. Zimmerer  
Assistant Attorney General

#157

Distributed to:

Dennis Conley  
Tony Wilson  
Reagan Reed  
Suzie Gibeaut

---

alleged that the Appellant has not complied with either KRS 61.872(2)(a) or KRS 61.880, the Office need not resolve those issues.