



COMMONWEALTH OF KENTUCKY  
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**20-ORD-081**

May 28, 2020

In re: James Harrison/Green River Correctional Complex

*Summary:* Because this open records appeal was not initiated within 20 days of the agency's denial, the appeal is time-barred under KRS 197.025(3).

*Open Records Decision*

On March 18, 2020, Green River Correctional Complex ("Complex") inmate James Harrison ("Appellant") requested a copy of the disposition of his complaint concerning the theft of two blankets. The Complex issued its response to the request on March 24, 2020. Appellant's appeal was postmarked April 27, 2020. Because the appeal is late, this appeal is time-barred.

KRS 197.025(3) provides:

KRS 61.880 to the contrary notwithstanding, all persons confined in a penal facility shall challenge any denial of an open record with the Attorney General by mailing or otherwise sending the appropriate documents to the Attorney General within twenty (20) days of the denial pursuant to the procedures set out in KRS 61.880(2) before an appeal can be filed in a Circuit Court.

Appellant did not mail his appeal within 20 days of the denial issued March 24, 2020. Accordingly, the appeal is untimely and cannot be considered by this Office.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882. Pursuant to 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 proceeding.

Daniel Cameron  
Attorney General

/s/ James M. Herrick

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Distributed to:

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