



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-065

March 17, 2025

In re: Kyle Thompson/Little Sandy Correctional Complex

Summary: The Office cannot find that the Little Sandy Correctional Complex (“the Complex”) violated the Open Records Act (“the Act”) because the Office cannot resolve the factual dispute between the parties concerning receipt of a request for records.

Open Records Decision

On February 3, 2025, inmate Kyle Thompson (“the Appellant”) allegedly submitted a request to the Complex for all “cash payment orders” he has “signed since [his] incarceration.” Having received no response by February 12, 2025, the Appellant initiated this appeal.

Under KRS 61.880(1) and KRS 197.025(7), a correctional facility must respond within five business days after receipt of a request for records. Here, the Appellant claims the Complex failed to timely respond to his request. However, the Complex states it did not receive the request before it received notice of this appeal on February 17, 2025. Because the Office cannot adjudicate disputed issues of fact, such as whether an agency received a request to inspect records, the Office cannot find that the Complex failed to respond in a timely manner. *See, e.g.*, 22-ORD-010. Accordingly, the Office cannot find that the Complex violated the Act.

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

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Distributed to:

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