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**RE: Public Records Request**

1 message

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**publicrecords** <PublicRecords@oag.texas.gov>

Mon, Apr 22, 2019 at 6:32 AM

To: .

This e-mail box is for members of the public to submit requests for records maintained by the Office of the Attorney General ("OAG"). A member of the public should refrain from sending general correspondence to this e-mail address. If you seek to contact the OAG, please follow the process that is explained on the agency's website: [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov). Thank you.

**Sent:** Thursday, April 18, 2019 7:28 PM

**To:** publicrecords <PublicRecords@oag.texas.gov>; Gordon, Justin <Justin.Gordon@oag.texas.gov>

**Subject:** Re: Public Records Request

On Tue, Apr 16, 2019 at 11:41 AM .

Mr Gordon,

I have given you ample time to respond. You have not responded. I will file a bar complaint against you.

Regards,

On Mon, Apr 1, 2019 at 10:56 AM

Mr. Gordon,

I am receipt of your response to my complaint. I am filing an appeal to your response. You have a taxpayer funded division that operates under the guise of open records when in fact nothing can be further from the truth. You stated in your attached letter that you don't handle judicial records under the PIA. In the attached "decision" from the Office of the Court, they state that what I am requesting isn't a judicial record yet your office says it is a judicial record. You both can't be correct. Please advise how both of you can be correct? If both of you aren't correct, please advise who is lying to me.

Regards,

On Mon, Apr 1, 2019 at 10:51 AM

Ms. Harden,

Thank you for sending me the email address and contact.

You had the information on what I was looking for with the courts and you sent me the following email stating that judicial records do not fall under the PIA so obviously you looked at what I was requesting and then made the statement below.

I file a complaint with the OAC and they say it's not a judicial record and then I file a complaint with the Open Records Office and they tell me it's a judicial record. Again, you keep avoiding my question. How can both be correct?

Regards,

On Thu, Sep 7, 2017 at 6:42 AM, publicrecords <PublicRecords@oag.texas.gov> wrote:

September 7, 2017

You have been notified that this e-mail address is NOT the appropriate e-mail address to send communications to the Office of the Attorney General. Please do not send any additional communications to this e-mail address.

If you would like to submit a complaint that a **governmental body** has failed to adhere to the Public Information Act, please **MAIL** your complaint letter, copies of your requests, and any response from the governmental body to the following address:

Education and Enforcement Section

Open Records Division

Office of the Attorney General

P.O. Box 12548

Austin, TX 78711-2548

You may contact the Education and Enforcement Section at 1-877-OPEN-TEX. **However, please be advised the Public Information Act does NOT apply to records of the judiciary. Accordingly, the Office of the Attorney General's Education and Enforcement Section has no authority over judicial records.** Again, we ask that you do not include this e-mail address on any further communications involving this matter. Thank you.

Sincerely,

June B. Harden

Assistant Attorney General

Assistant Public Information Coordinator

Office of the Attorney General

On Mon, Apr 1, 2019 at 10:21 AM publicrecords <PublicRecords@oag.texas.gov> wrote:

The division chief of the Open Records Division is Mr. Justin Gordon. His e-mail address is justin.gordon@oag.texas.gov.

**Nowhere did I say that your records were judicial records that are not subject to the Act.** I simply informed you of the limitations of the Open Records Division. Because you were making requests to the Office of Court Administration, there was a significant probability that the information you were requesting was outside the authority of the Open Records Division. Again, I never made a determination. I am not involved in this matter whatsoever. I don't know what records you are requesting. I have not seen the records. If you have questions as to why the Open Records Division made a legal determination about your complaint, please call them.

Sincerely,

June B. Harden

Assistant Attorney General

Assistant Public Information Coordinator

Office of the Attorney General

**Sent:** Monday, April 01, 2019 10:03 AM  
**To:** publicrecords <PublicRecords@oag.texas.gov>  
**Subject:** Re: Public Records Request

Ms. Harden,

I'm a filing a public records request with your office. Please provide any documents that show the name(s) and email address(es) of who's in charge or the Open Records Division of the Office of the Attorney General ("ORD").

Further YOU stated in your email that, "**[H]owever, please be advised the Public Information Act does NOT apply to records of the judiciary. Accordingly, the Office of the Attorney General's Education and Enforcement Section has no authority over "judicial records".** Due to your statement, I am sending you this email. Again, the OAC said it wasn't a judicial record yet you say it isn't. Again, how can both of you be correct?

I look forward to your response with the email addresses. I'd prefer to email my appeal since I don't want to waste the toner, paper, and postage on a sham process. I look forward to hearing your response to my question on who's correct about it being a judicial record but I doubt you will as you keep dodging the question.

Regards,

On Mon, Apr 1, 2019 at 6:53 AM publicrecords <PublicRecords@oag.texas.gov> wrote:

I have explained this several times and yet you continue to include me in this discussion. You are e-mailing the Public Information Coordinator's Office of the Office of the Attorney General ("PIC"). The purpose of PIC is to respond to requests for records of the Office of the Attorney General. **PIC has no legal authority over any governmental body or member of the judiciary.**

On the other hand, the Open Records Division of the Office of the Attorney General ("ORD") rules on the applicability of the Act's exceptions on government records. In addition, the Education and Enforcement section is housed in ORD. If a member of the public believes that a governmental body has failed to adhere to the requirements of the Public Information Act, he should submit a complaint to the Education and Enforcement Section of ORD. **It is ORD, not PIC, that has enforcement authority under the Act.**

When you originally began submitting e-mails, I told you that you were communicating with PIC, not ORD. Furthermore, I told you how to communicate with ORD to file a complaint. Finally, I simply made you aware that the law differentiates between governmental bodies and the judiciary. Only ORD has enforcement authority over governmental bodies, not the judiciary. I did not make any "decision." I don't have the power to make a "decision." **Only people in ORD can make the decision whether or not they have statutory authority over your matter.** If someone in ORD has responded to your complaint and you have questions, please contact the Open Government Hotline at 1-877-OPEN-TEX.

Sincerely,

June B. Harden

Assistant Attorney General

Assistant Public Information Coordinator

Office of the Attorney General

**Sent:** Saturday, March 30, 2019 5:34 PM

**To:** publicrecords <PublicRecords@oag.texas.gov>

**Subject:** Re: Public Records Request

Mr. Paxon/Harden

I am receipt of your response to my complaint. I am filing an appeal to your response. You have a taxpayer funded division that operates under the guise of open records when in fact nothing can be further from the truth. You state in the below email that you don't handle judicial records under the PIA. In the attached "decision" from the Office of the Court, they state that what I am requesting isn't a judicial record yet your office says it is a judicial record. You both can't be correct. Please advise how both of you can be correct? If both of you aren't correct, please advise who is lying to me.

Regards,

On Thu, Sep 7, 2017 at 11:28 AM ,

Ms. Harden:

Fair enough. I didn't think you were going to respond to my last questions in my previous email.

Have a good day.

On Thu, Sep 7, 2017 at 11:24 AM, publicrecords <PublicRecords@oag.texas.gov> wrote:

I have provided you the information to contact the Open Records Division. If you have any additional questions, you may contact the Open Government Hotline at 1-877-OPENTEX. It is a toll-free number. As my division is not involved in this matter, I will no longer respond to any more e-mails.

Sincerely,

June B. Harden

Assistant Attorney General

Assistant Public Information Coordinator

Office of the Attorney General

**Sent:** Thursday, September 07, 2017 11:17 AM  
**To:** publicrecords <PublicRecords@oag.texas.gov>

**Subject:** Re: Public Records Request

Ms. Harden:

Per your request, I have already dropped in the mail my "appeal" to the office you provided. Again, per your email you state that your department doesn't handle judiciary records so right there you're telling me the outcome of my appeal ahead of time so you say I'm dealing with the wrong division yet **you** are already telling me the outcome. The OCA sham decision stated that my request ***is not*** a judicial record. Ms Harden, how can both of you be right? Lastly, I never received the Harris County Clerk's response as required by RJAC 12.9(e). Ms Harden, so they (OCA and the Harris County Clerk) don't have to follow RJAC?

Regards,

On Thu, Sep 7, 2017 at 10:23 AM, publicrecords <PublicRecords@oag.texas.gov> wrote:

As I have tried to explain to you multiple times, you are communicating with the **wrong** division. **My division has absolutely NO role in this matter whatsoever.** I was merely trying to get you the information you need to submit your complaint to the entity that has enforcement jurisdiction over the Public Information Act.

Sincerely,

June B. Harden

Assistant Attorney General

Assistant Public Information Coordinator

Office of the Attorney General

**Sent:** Thursday, September 07, 2017 10:18 AM

**To:** publicrecords <PublicRecords@oag.texas.gov>

**Cc:** BCC mailbox <JBCC@txcourts.gov>

**Subject:** Re: Public Records Request

Ms. Harden,

You are quick to notify me not to use emails as means of communication. Yet, the OCA is not so quick to respond and in this case not at all with respect to the **response be sent to me** pursuant to RJAC 12.9(e). I can see by your email you're already setting me up for your "decision". I will play the game and send my "appeal" to the PO Box.

Regards,

On Thu, Sep 7, 2017 at 6:42 AM, publicrecords <PublicRecords@oag.texas.gov> wrote:

September 7, 2017

You have been notified that this e-mail address is NOT the appropriate e-mail address to send communications to the Office of the Attorney General. Please do not send any additional communications to this e-mail address.

If you would like to submit a complaint that a **governmental body** has failed to adhere to the Public Information Act, please **MAIL** your complaint letter, copies of your requests, and any response from the governmental body to the following address:

Education and Enforcement Section

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P.O. Box 12548

Austin, TX 78711-2548

You may contact the Education and Enforcement Section at 1-877-OPEN-TEX. **However, please be advised the Public Information Act does NOT apply to records of the judiciary. Accordingly, the Office of the Attorney General's Education and Enforcement Section has no authority over judicial records.** Again, we ask that you do not include this e-mail address on any further communications involving this matter. Thank you.

Sincerely,

June B. Harden  
Assistant Attorney General  
Assistant Public Information Coordinator  
Office of the Attorney General

**Sent:** Wednesday, September 06, 2017 8:17 PM  
**To:** publicrecords <PublicRecords@oag.texas.gov>  
**Cc:** BCC mailbox <JBCC@txcourts.gov>  
**Subject:** Re: Public Records Request

Dear Open Records,

I am attaching my appeal. The Office of Court Administration's decision is a sham and I can't believe they think people are stupid enough to believe that they actually processed the appeal. Further, they had 60 days to issue an opinion and it is past the 60 days. I guarantee they never even requested or received a response from Harris County. My public records request will expose their sham decision.

I will send a hard copy in the email.

Regards,

On Wed, Sep 6, 2017 at 8:03 PM,

Dear Custodian of Records,

You should have sent my appeal to Harris County thus I am requesting a copy of the cover letter you sent along with my complaint.

Regards,

On Wed, Sep 6, 2017 at 7:49 PM,

Dear Custodian of Records,

I see you quickly put a up "decision" today. I am requesting you send me a copy of their response as required by RJAC 12.9(e) as I never received a response within the 14 days. Further, I'm requesting a copy of my appeal that was stamped as received by your office with the date. Lastly, I am requesting any internal emails that you or anyone at the Office of Administration produced or received from internally or from the Texas Attorney General's Office on 9/6/2017 regarding my appeal.



Either you violated rule RJAC 12.9(e) or you never received a response and you made a decision without receiving a response. Which one is it?

Regards,

On Wed, Sep 6, 2017 at 9:18 AM,

Re submission with corrections due to typo on dates.

Regards

----- Forwarded message -----

Date: Wed, Sep 6, 2017 at 9:09 AM  
Subject: Public Records Request  
To: BCC mailbox <JBCC@txcourts.gov>

Dear Custodian of Records,

I am requesting a copy of the decision with regards to my public records appeal filed on June 30th, 2017 filed in accordance with RAJC 12.9. I am requesting a copy of the response that the public agency filed with respect to my appeal Pursuant to RJAC 12.9(e) as I never received a copy as required by RJAC. I am requesting a mail received log for the dates of June 3rd, 2017 - June 7th, 2017.

Thanks,