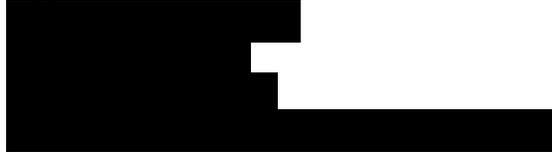


TO: Dylan Mace
Acting Interim Executive Secretary
Utah State Records Committee
346 South Rio Grande
Salt Lake City, Utah 84101-1106
Phone: 801.531.3834
Email: dylanmace@utah.gov

FROM: C. Edward Bennion
Appellant



RE: GRAMA APPEAL
Utah Lieutenant Governor's Office

DATE: April 13, 2018

Dear Mr. Mace and Records Committee Members,

Pursuant to U.C.A. § 63G-2-401, and the failure of the Chief Administrative Officer (“CAO”) of the Utah Lieutenant Governor’s Office (“ULGO”) to respond to my GRAMA Appeal to the CAO, I am timely appealing to the State Records Committee for relief.

On January 22, 2018 a GRAMA Request was filed with the ULGO. On January 24, 2018 the ULGO denied the request for an expedited response stating “[O]ur office will respond to your request no later than 10 business days after receiving your request.” I contacted the ULGO, via email on January 25, 2018, asking if consideration was made regarding expedited response and seeking reconsideration of the issue. Later on January 25, 2018 the ULGO reaffirmed their decision to deny an expedited response regarding my request. On January 26, 2018 I was contacted by the ULGO regarding #4 of my GRAMA Request. On January 29, 2018 I sent an email in response to the ULGO’s email of January 26, 2018. On February 2, 2018, I received records that the ULGO asserted as responsive to my records request. Upon review of the records received from the ULGO there appeared to be gaps and records not provided, responsive to the records request of January 22, 2018. Based upon the review of the materials received, a reasonable person could only conclude there are responsive records to the request that were not provided from the ULGO. On March 4, 2018 a GRAMA appeal was made to the CAO of the ULGO, Lt. Governor Cox or his designee, seeking “additional records responsive to my request.” Response from the CAO of the ULGO should have been provided no later than March 15, 2018, 10 days following submission of an appeal (excluding a business confidentiality issue or the granting of an expedited response U.C.A. § 63G-2-401(5)) without mutual agreement of

the parties extending the time period. As the CAO of the ULGO failed to reasonably respond within that time period, pursuant to U.C.A. § 63G-2-401(5)(b)(i) “If the chief administrative officer fails to make a decision on an appeal of an access denial within the time specified in Subsection (5)(a), the failure is the equivalent of a decision affirming the access denial.” Therefore, this appeal is made timely to the SRC to consider the access denial, as additionally, I have received records from other records requests, attributed to, or related to records in the ULGO, that I did not received from the ULGO. Because of these facts, I can only reasonably think and believe the ULGO is in possession of responsive records that have not been provided, particularly given the reasonable specificity of the subject matter and scope of the records request. While asserting the arguments contained herein, I reserve the right to make additional arguments or to expand on the above arguments, before the State Records Committee. I have legitimate and reasonable reasons to think and believe additional responsive records are in the possession of the ULGO.

I request that any and all records responsive to my GRAMA Request of January 22, 2018, be immediately made available for review and/or copying, or provided electronically. Please contact me if you have any questions or require anything additional. Thank you in advance for your time and attention in this matter.

Sincerely,

/s/ C. Edward Bennion

C. Edward Bennion
Appellant