

#2017-65-70

REC'D JUL 12 2017
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HARSHAD P. DESAI

UTAH STATE RECORDS COMMITTEE

346 SOUTH RIO GRANDE, SALT LAKE CITY, UT 84101-1106

(P) 801-531-3861, 3848 (F) 801-531-3854

<http://archives.utah.gov/src-members.html>

HARSHAD P. DESAI

petitioner

v.

**GARFIELD COUNTY
GOVERNMENT**

Respondent

APPEAL

State of Utah statute – 63G-2-101

&

SUMMARY JUDGMENT.

GRAMA requests not responded by the respondent.

State of Utah Record Committee:
Patricia Smith Mansfield – Director

NOVA DUBOVIK – Executive Secretary
(E) ndubovik@utah.gov (P) 801-531-3834
KIMBERLY K. HOOD – Executive Dir.

INTRODUCTION:

RESPONDENT - GARFIELD COUNTY GOVERNMENT

PETITIONER – HARSHAD P. DESAI

GRAMA Process in general	GRAMA Process in Garfield County.
Submit the request in writing to the public record officer. If none, submit it to recorder	Submit the request in writing to county recorder / clerk / auditor. There is no independent PUBLIC RECORD OFFICER"
After 21 days – if no response or response not acceptable, resubmit to adjudication committee as an appeal.	There is no adjudication committee in Garfield County. The appeal goes to "GARFIELD COUNTY COMMISSION" (as adjudication committee).
Next step is Record Committee	Next step is State of Utah / Record Committee
Next step is District Court.	Next step is District Court (State or Federal).

1073

	Response from the recorder office	Response from the commission (appeal)	Petitioner's action
GRAMA REQUEST – I	May 08, 2017 None.	June 26, 2017 Demanded fees (violation of Utah codes).	June 27, 2017 The petitioner's response to unacceptable position of the county government.
GRAMA Request – II	May 09, 2017 None.	June 26, 2017 Demanded fees (violation of Utah codes).	
GRAMA Request – III	May 10, 2017 None.	June 26, 2017 Demanded fees (violation of Utah codes).	
GRAMA Request – IV	May 11, 2017 None.	June 26, 2017 Demanded fees (violation of Utah codes).	
GRAMA Request – V	May 11, 2017 None.	June 26, 2017 Demanded fees (violation of Utah codes).	

FACTS:

- (1) Did the petitioner exhausted required avenues ? ----- Yes.
- (2) ~~The respondent is engaged in deterrent approach demanding fees~~ (in violation of Utah codes).
- (3) The respondent knowingly engaged in ignoring the Utah codes for public records.

REQUEST:

- (1) The authority (committee, director, executive secretary, etc.) should review the GRAMA requests, apply existing Utah Codes vs. respondent's position. and provide order / findings.
For the authority, the petitioner has provided all the committee needs.
- (2) To avoid confusion and chaos, assign case numbers to individual GRAMA requests as they are different in nature.
- (3) The petitioner is requesting committee's standing on individual GRAMA requests.

RECORD COMMITTEE'S AUTHORITY, JURISDICTION, AND BURDEN.

- (1) Does the respondent has full understanding of Utah Codes ?
- (2) Is the respondent engaged in his/her personal policies for personal gains ?
- (3) How is respondent's claim (for charges) in compliance of numerous Utah Codes ?
- (4) None of the requests require >15 minutes.
- (5) How is uniformity (Utah Constitution) of performance maintained ?
- (6) What is the GRAMA load in the entity ? – authority for facts – no authority for action.
- (7) Motive of the respondent.

2 of 3.

To understand –

Utah Governor	Farmer, college drop out from BYU	Zero cost. On web site. The Governor has no objection about the fact.
Garfield County employee	Situation is like - If janitor is in a judge position	Citizen has to pay \$15 to know.

MAILING CERTIFICATE:

I hereby certify that I [X] mailed [] **faxed** [] emailed [] hand

delivered a true and correct copy of the “**APPEAL** (State of Utah statute – **63G-2-101**) & SUMMARY JUDGMENT.” this 10th day of JULY, 2017 to the followings.

(1) UTAH STATE RECORDS COMMITTEE

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NOVA DUBOVIK – Executive Secretary

(E) ndubovik@utah.gov (P) 801-531-3834

(2) GARFIELD COUNTY GOVERNMENT.

55 South Main Street, Panguitch, UT 84759

(i) Kim Brinkerhoff (Title / job position ---- ?????????????????). ---- 676-8239

(ii) Mr. Barry Huntington – Garfield County Attorney – (F) 435-676-8470.



07/10/2017

HARSHAD P. DESAI (Petitioner)

DATE

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