

2016-59



THE LAW OFFICES OF
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PLLC

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Per MP

June 28, 2016

Utah Records Committee
346 South Rio Grande
Salt Lake City, Utah 84101-1106

Via U.S. Mail

Re: GRAMA Records Appeal
Case Number 15SL00366, Pedro Espejel

To Whom It May Concern;

Please take this letter as our formal notice of appeal of the Department of Public Safety's denial to our GRAMA request in the aforementioned matter.

My office submitted a GRAMA request to obtain any and all UHP reports, including witness statements, photos, etc., relating to a multi-car accident on or about January 17, 2015 at approximately 7:39 a.m. on SR-20 and I-15 northbound merger. In brief, on such date my client, Pedro Espejel, was involved in a motor vehicle accident and suffered injuries as a result. Immediately prior and after his accident, several other accidents at the same time and location occurred due to severe weather/road conditions. However, the responding UHP officer in his discretion prepared separate reports for each accident. My client's DI-9 report is incomplete as it does not contain crucial contact information of witnesses.

The Department of Public safety denied our appeal citing Utah Code Ann. 63G-2-305(38) and 41-6a-404, accident reports are classified as protected documents. However, 41-6a-404 (3)(a), states the agency shall disclose an accident report to a person suffering loss or injury in the accident. My client suffered injuries as a result of this accident and is currently in dispute with the at-fault insurance company. But for the officer's decision to prepare separate reports, this information would have been included in one report.

I would greatly appreciate your consideration in the matter and assisting in obtain the information as it may be necessary in formal litigation. Please feel free to contact me directly if you have any questions regarding this matter:

Sincerely,

Roberto Hernandez, Esq.