

GRAMA Notice of Appeal to State Records Committee

Note: Utah Code § [63G-2-403](#) (GRAMA) provides that any person may further appeal the chief administrative officer's denial of an appeal by filing a notice of appeal with the State Records Committee. This notice must be filed within 30 days of the response from a governmental entity's chief administrative officer or no later than 45 days after the records request was made if the following occur: the governmental entity claims extraordinary circumstances, and the chief administrative officer failed to make a determination.

Requester's information

Name: Elias Faraclas

Date: 4/19/2018

Address: _____

City/State/Zip: _____

Daytime telephone number: _____

Make request to

Nova Dubovik
346 South Rio Grande Street
Salt Lake City, Utah
84101 ndubovik@utah.gov

Explanation of Relief Sought

Note: Relief can relate to conflicts over denial of access to records (Utah Code § [63G-2-402](#)) as well as disputes over fees (Utah Code § [63G-2-203\(6\)](#)) or extraordinary circumstances (Utah Code § [63G-2-402](#)).

The State Records Committee can also use the weighing provision to order the release of records that are properly restricted if it determines that the interests favoring access are greater than or equal to the interests favoring restriction (Utah Code § [63G-2-203\(11\)](#)).

This appeal is because Paul Hancock and Lehi City have not responded accurately, consistently, or completely as required by law to the GRAMA request. To address this the relief sought is for the state records committee to compel a complete and accurate set of records be released. Moreover, the actions of Paul Hancock by refusing to reply truthfully and fully are in violation of the law. Similarly, the failure of Lehi City to release a complete and accurate set of records, while claiming they have been, is similarly in violation of the law. Because this is not the first time this has happened, a ruling from the records committee on GRAMA regulations is required both to ensure the complete satisfaction of this GRAMA request but to also have a ruling from the records committee available such that the illegal noncompliance with the GRAMA statutes can be kept from reoccurring.

Inclusions for notice of appeal

The State Records Committee requires documentation and has specific appeals procedures which are outlined in Administrative Rule: [Title R35. Administrative Services, Records Committee](#), and should be reviewed by a petitioner.

This petition to appeal to the State Records Committee requires the following attachments or inclusions:

- Statement of facts, reasons, and legal authority in support of this appeal
(see Utah Code § [63G-2-403\(3\)\(b\)](#)).
- Original GRAMA request
- Notice of denial from the governmental agency's records officer
- Notice of appeal to the governmental entity's chief administrative officer (Optional)
- Notice of decision from the governmental entity's chief administrative officer

This notice of appeal must, **on the same day**, also be forwarded to the governmental entity to which the records request was made (Utah Code § [63G-2-403\(3\)](#)).

- Notice of appeal sent to agency

Request assistance

A petitioner may request assistance from the government records ombudsman. The ombudsman's responsibility is to serve as a resource for a person who is filing an appeal relating to a records request. The ombudsman may also attempt to mediate disputes between requesters and responders (Utah Code § [63A-12-111\(2\)](#)).

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