Case# 15-39
P. Sullivan

June 11, 2015

State Records Committee: 6-5-2015

Re: Denial of Records request - State of Utah, Insurance Department

I submitted a request for records to the Insurance Dept date 3-30-15. My request was denied by Mark E Kleinfield, GRAMA coordinator on 4-14-15. On 4-17-15 I appealed this denial to Commissioner Kiser, Chief administrative officer. On 4-29-15 I received a response from Deputy Commissioner Barratt. He reversed the appeal and directed the Dept to produce the requested records.

On 5-12-15 I received a response from Armand Glick, Director, Insurance Fraud Division. It is stated the requested records were provided on a DVD. However, I am an inmate at the Utah State Prison in Draper. As such, I have no computer access. Additionally, burned DVD's are not to be sent to inmates. Due to this, I was unable to receive the DVD. U.C.A. §636-2-201(1) states: "A governmental entity may not use the physical form, electronic or otherwise, in which a record is stored to deny, or unreasonably hinder, the rights of an individual to inspect and receive a copy of a record under this chapter."

Several records were also redacted; however, the letter from Mr. Glick does not state how many records were redacted, nor the specific reason for each redaction. I am told no text messages exist, but I know for a fact corresponded with my probation officer, via text message. I was denied access to recorded phone calls between my and Armand Glick. As I am the subject of this conversation I am entitled

to a copy. I also know, for a fact, that this conversation was previously provided to my attorney during discovery. Mr. Glick states the reason for denial is UCA. §63G-2-305 (10) and (51). However, I obviously know the source of this record as I've identified it. Finally, Mr. Glick knows I already am well aware of my mother's home address and home telephone number. I personally provided this information to Mr. Glick during our August 2012 conversation.

Thank you,

Patrick Sullivan
Offender 210357
PO Box 250
Draper, UT 84020

CC: Commissioner Kiser

P.S. I sent the enclosed appeal dated 5/19/15 after receipt of Mr. Glick's response. I have not received a response from the entity to this second appeal.