



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

DOUGLAS J. PETERSON
ATTORNEY GENERAL

NATALEE J. HART
ASSISTANT ATTORNEY GENERAL

May 2, 2018

Kevin E. Johnson #0005440
Clarinda Correctional Facility
2000 N. 16th St.
Clarinda, IA 51632

RE: *File No. 18-R-114; Dakota County Sheriff; Petitioner Kevin E. Johnson*

Dear Mr. Johnson:

This letter is in response to your petition submitted under the Nebraska Public Records Statutes, Neb. Rev. Stat. §§ 84-712 through 84-712.09 (2014, Cum. Supp. 2016), in which you sought our assistance in obtaining certain public records belonging to the Dakota County Sheriff¹ ("Sheriff"). Specifically, you sought medical records from your time in the Dakota County Jail and records related to what you characterize as a refusal to provide you with medical care. While your petition contains two requests, which were purportedly sent to the Dakota County Sheriff seeking these records, the Sheriff asserts to us that he never received either request and that your requests were only sent to the Dakota County Court. As your request letters do not indicate to what address they were sent, we have no reason to doubt the Sheriff's representation.

On April 19, 2018, the undersigned received an email from Sheriff Chris Kleinberg who stated that he had forwarded your request to the medical department and expected the records to be sent to you. We received a follow-up from the Sheriff's office on April 30, 2018 confirming that you had been provided with the documents

¹ Your petition and its supporting documentation also list the Dakota County Court as an entity from whom you requested records. However, upon receipt of your petition, we made a determination that the custodian of the records you seek would be only the Dakota County Sheriff. Your medical records would not be "of or belonging" to the court system. As a result, we did not seek a response from the Dakota County Court as to your petition.

Kevin E. Johnson
May 2, 2018
Page 2

listed in your request. Since you have now received the records which formed the basis for your petition, no further investigation or analysis by this office is necessary. As a result, we are closing this file.

Sincerely,

DOUGLAS J. PETERSON
Attorney General

A handwritten signature in blue ink, appearing to read "Natalee J. Hart". The signature is fluid and cursive, with the first name being the most prominent.

Natalee J. Hart
Assistant Attorney General

cc: Sheriff Kleinberg

02-691-29