



STATE OF NEBRASKA
Office of the Attorney General

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MIKE HILGERS
ATTORNEY GENERAL

LESLIE S. DONLEY
ASSISTANT ATTORNEY GENERAL

August 2, 2023

Via email at [REDACTED]
Shaun Caldarelli

RE: *Public Records Matter Involving the Sarpy County Jail*
File No. 20231093

Dear Mr. Caldarelli:

This letter is in response to your petition received by our office on July 17, 2023, in which you requested that we “review the matter of a public records request made on July 10 2023” addressed to various Sarpy County officials. You are specifically challenging the statement made by Deputy Sarpy County Attorney John Reisz in response to your question “who was the medical personnel on duty on December 10 2013. Please include the Name title(LPN RN ARPRN PA MD)?” We have considered your petition under the provisions of the Nebraska Public Records Statutes (“NPRS”), Neb. Rev. Stat. §§ 84-712 to 84-712.09 (2014, Cum. Supp. 2022).

Upon review, we find your public records request to be a series of questions and not a request for specific records. This office has taken the position that § 84-712 does not require a public body to review documents and create abstracts or other lists, to answer questions or to create documents which do not otherwise exist. Op. Att’y Gen. No. 94092 (November 22, 1994); Op. Att’y Gen. No. 94035 (May 11, 1994); Op. Att’y Gen. No. 87104 (October 27, 1987). Since your request does not implicate the NPRS, there is no legal basis for our review and we are closing this file. Further, this office has no authority to determine the propriety of Mr. Reisz’s responses to your questions.

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If you disagree with our determination, you may wish to discuss this matter with your private attorney to ascertain what additional remedies, if any, might be available to you under the NPRS.

Sincerely,

MIKE HILGERS
Attorney General



Leslie S. Donley
Assistant Attorney General

c: John W. Reisz (via email only)
49-3291-30