

Office of the Attorney General

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MIKE HILGERS ATTORNEY GENERAL

LESLIE S. DONLEY
ASSISTANT ATTORNEY GENERAL

June 5, 2024

Via email at Andrea M. Wike

RE: Public Records Matter Involving the Douglas County Court

File No. 20241102

Dear Ms. Wike:

This letter is in response to your email sent to former legal assistant Michael Steffes on May 20, 2024, which we received on May 21.1 You have requested our assistance regarding a request for public records you submitted to Douglas County Judge Thomas K. Harmon, and Douglas County Court Administrator Pamela Cardenas on or about January 30, 2024. On February 14, we wrote to you in response to your February 6, email² and requested a copy of your public records request and any responses you may have received from the officials named above. You provided this documentation on May 20. We construed your email to be a petition under § 84-712.03(1)(b) of the Nebraska Public Records Statutes (NPRS), Neb. Rev. Stat. §§ 84-712 to 84-712.09 (2014, Cum. Supp. 2022), amended 2024 Neb. Laws LB 43. Our findings in this matter are set forth below.

The specific items in your request included the following:

The Attorney General has a Public Records Petition Form on our Open Government webpage for use by individuals seeking our review pursuant to Neb. Rev. Stat. § 84-712.03(1)(b). See https://ago.nebraska.gov/open-government. The form includes an email address to use when returning the completed form. We would encourage your use of the form in the future.

This email also references your "records request sent to Kevin Bagley on July 28, 2023" and Mr. Bagley's purported failure to respond. You provided this office no documentation relating to this particular request.

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- 1. Your copy of the alleged agreement in order to adjudicate the matter and open [account] case: CI 23-19191;
- 2. Evidence of Private Property [known as Lot 386, Arbor Gate, near Douglas county, Nebraska republic] becoming public lands;
- The record for Andrea M. Wike and Andrew W. Wike to have consented to "be sued" by Francis and Terah Younes;
- 4. The consent for Andrea M. Wike and Andrew W. Wike to be sued and the matter adjudicated in the venue of the county court of Douglas county for this specific matter.

Ms. Cardenas responded on January 31, informing you how to obtain a transcript of proceedings or a bill of exceptions.

On May 31, the undersigned contacted Ms. Cardenas about your petition. Upon further review, Ms. Cardenas confirmed that the Douglas County Court has no records responsive to the items in your request. Consequently, since you have not been denied access to public records, no further action by this office is necessary and we are closing this file. If you disagree with our analysis, you are free to consider the additional remedies available under the NPRS.

Sincerely,

MIKE HILGERS Attornev General

Leslie S. Donley

Assistant Attorney General

c: Hon. Thomas K. Harmon Pamela Cardenas

49-3554-31