



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

**MIKE HILGERS**  
ATTORNEY GENERAL

**LESLIE S. DONLEY**  
ASSISTANT ATTORNEY GENERAL

May 15, 2026

Steven M. Jacob, [REDACTED]  
[REDACTED]  
[REDACTED]

RE: *Public Records Matter Involving the Office of the Governor*  
File No. 20261039

Dear Mr. Jacob:

This letter is in response to your public records petition dated April 30, 2026, and received by this office on May 6. You are seeking the Attorney General's assistance in obtaining certain public records from Governor Pillen's Office (Governor's Office). We considered your petition in accordance with the Nebraska Public Records Statutes, Neb. Rev. Stat. §§ 84-712 to 84-712.09 (2024). Our findings are set forth below.

On March 25, 2026, you mailed a letter to the Governor's Office seeking "copies of the Department of Correctional Services budget requests for the years 2014 through 2022." You received no response. You have requested we "contact[ ] the Governor's Office and ask if they are going to comply with [your] request."

Neb. Rev. Stat. § 84-712.01(1) defines "public records" as "all records and documents, regardless of physical form, *of or belonging to*" the various governmental units in the state. Pursuant to Neb. Rev. Stat. § 84-712,

[t]he public records statutes are directed to 'the custodian' of a requested public record . . . and the duties imposed thereunder on a specific custodian relate only to the public records of which that specific office or person is the custodian. A specific custodian only has a clear duty under the public records statutes to provide the public records of which he or she is custodian. It is the obligation of the person requesting a record to determine the proper custodian and to make a request of that person or office.

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*Huff v. Brown*, 305 Neb. 648, 666, 941 N.W.2d 515, 527 (2020).

Accordingly, § 84-712 requires you to direct your public records request to the proper custodian. The requested budget requests are not records “of or belonging to” the Governor’s Office nor is the Governor’s Office the proper custodian of such records. Rather, the Department of Correctional Services or the Department of Administrative Services would be the likely custodian of the Department of Correctional Services’ budget requests.

Since the Governor’s Office is not the lawful custodian of the requested budget requests, no further action by this office is necessary and we are closing this file. If you disagree with our handling of your petition, you are free to consider the other remedies available to you under Neb. Rev. Stat. § 84-712.03.

Sincerely,

MIKE HILGERS  
Attorney General



Leslie S. Donley  
Assistant Attorney General

c: Michael Donley

49-4153-31