



The Office of Secretary of State

Karen C. Handel
SECRETARY OF STATE

Vincent R. Russo
General Counsel

December 1, 2009

VIA EMAIL (gallegos.paint31@yahoo.com)

RE: Open Records Request

Dear Ms. Gallegos:

I am in receipt of your request made pursuant to the Georgia Open Records Act ("Act"), O.C.G.A. § 50-18-70 *et seq.*, dated December 1, 2009. Pursuant to your request, you are seeking an electronic copy of a detailed investigative report for SEB Case No. 2008-000133 for Lowndes County. Please be advised that although you are a Respondent in that matter, your request remains subject to the exceptions to the Act contained in O.C.G.A. § 50-18-72.

At this time, SEB Case No. 2008-000133 for Lowndes County is pending prosecution with the Attorney General's Office, and the documents you have requested are not subject to inspection under the Act until that matter is closed. Specifically, O.C.G.A. § 50-18-72(a)(4) exempts "records of law enforcement, prosecution, or regulatory agencies in any pending investigation or prosecution of criminal or unlawful activity, other than initial police arrest reports and initial incident reports. . ." from disclosure. Accordingly, the records you have requested are exempt from disclosure at this time.

In an attempt to assist you, our office provides all Respondents with an investigative summary prior to the hearing on such matters. If you have not received the investigative summary for your case, please contact me and I will ensure you receive it.

This response is made in compliance with the Georgia Open Records Act. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Vincent R. Russo
General Counsel