

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by )  
Romeo P. Dorsey, Complainant ) Report of Hearing Officer  
against ) Docket #FIC76-137  
Town of Wallingford and Town ) September , 1976  
Attorney of the Town of )  
Wallingford, Respondents )

The above captioned matter was heard as a contested case on September 13, 1976, at which time the complainant appeared and presented testimony and argument on the complaint.


After consideration of the entire record the following facts are found:

1. The respondents are public agencies.
2. By letter of request dated July 22, 1976, the complainant requested a copy of an opinion of the Town Attorney allegedly in the custody and possession of respondent town attorney.
3. Respondent town attorney did not comply with complainant's request for said copy prior to complainant's bringing this letter of complaint filed with this Commission on July 29, 1976.
4. It is found that there does not exist a record containing the information requested.
5. Since there does not exist a record containing the information requested it is found that the complainant has not been denied his right to a plain copy of a public record.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

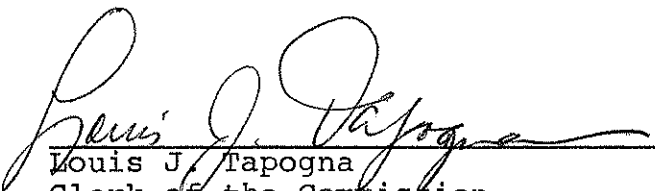
1. The complaint is hereby dismissed since the Commission lacks jurisdiction over same under P.A. 75-342.
2. It should be noted that compliance with P.A. 75-342 requires reply within four (4) business days and this matter could have been avoided had the town attorney

informed complainant that the record did not in fact exist.

  
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Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission  
on October 13, 1976.

  
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Louis J. Tapogna  
Clerk of the Commission