

STATE OF TENNESSEE

Office of the Attorney General



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April 20, 2009

Joseph Rosenbloom



RE: Public Records Request

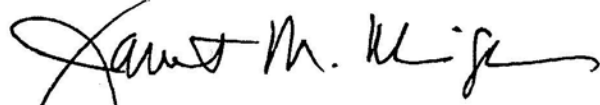
Dear Mr. Rosenbloom:

Our Office is in receipt of your letter of March 26, 2009 concerning your public records for copies of "all documents regarding Martin Luther King Jr.'s activities in Memphis during February and March 1964" and "all documents created from April to December of 1964 regarding the investigation of James Earl Ray for the murder of Martin Luther King, Jr."

As I explained in my previous letter, Tennessee's Public Records Act provides that "all state, county and municipal records . . . shall at all times, during business hours, be open for personal inspection by any *citizen* of Tennessee, and those in charge of such records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law." Tenn. Code Ann. § 10-7-503(a)(1). From your letter, it does not appear that you are a citizen of Tennessee and, therefore, we are not required to respond to your request on that basis.

Also, please be advised that the Office of the Tennessee Attorney General is not the custodian of all public records in Tennessee, and certainly not the custodian of all public records "regarding Martin Luther King Jr.'s activities in Memphis during February and March 1964" and "all documents created from April to December of 1964 regarding the investigation of James Earl Ray for the murder of Martin Luther King, Jr." Thus, as I explained in my previous letter, to the extent that the Office of the Tennessee Attorney General has any documents that are responsive to your request for which it is the custodian, *those records* would not be subject to public inspection under Tennessee's Public Records Act because of the exemption contained in Tenn. Code Ann. § 10-7-504(a)(5)(A).

Sincerely,

A handwritten signature in black ink, appearing to read "Janet M. Kleinfelter". The signature is fluid and cursive, with a large initial "J" and a long, sweeping tail.

JANET M. KLEINFELTER
Senior Counsel