

[Cite as *Parks v. Webb*, 2018-Ohio-1716.]

MICHAEL R. PARKS

Requester

v.

PATRICIA WEBB

Respondent

Case No. 2017-00995PQ

Judge Patrick M. McGrath

ENTRY ADOPTING
RECOMMENDATION OF
SPECIAL MASTER

{¶1} On December 6, 2017, requester Michael Parks made a public records request to respondent Patricia Webb, Clerk, Pickaway County Board of Commissioners (PCBC) for the minutes of the December 5, 2017 PCBC meeting “in whatever format they are in at the time of this email.” (Response, Exh. A.) Webb provided Parks with a copy of the minutes in PDF format, although Webb kept the minutes in DOC (Microsoft Word) format. (Response, Exh. B.) On December 13, 2017, Parks responded: “The record sent is not what I requested.” (*Id.*) On December 18, 2017, Pickaway County Administrator Brad Lutz emailed Parks that the requested records had been provided as required by law (Response, Exh. C.), incorporating by reference previous correspondence in which he advised that “[i]t is not appropriate nor required by sunshine law to send a document that can be edited, such as a Word document.” (Complaint at 4.)

{¶2} On December 20, 2017, requester Michael Parks filed a complaint under R.C. 2743.75 alleging denial of timely access to public records in violation of R.C. 149.43(B). On March 22, 2018, Special Master Clark issued a report recommending that the court GRANT Parks’ claim for production of the requested records in the format they were kept by the office at the time of the request.

{¶3} R.C. 2743.75(F)(2) states, in part: “Either party may object to the report and recommendation within seven business days after receiving the report and recommendation by filing a written objection with the clerk * * *.” No objections were

filed by either party. The court determines that there is no error of law or other defect evident on the face of the Special Master's decision. Therefore, the court adopts the Special Master's report and recommendation as its own, including findings of fact and conclusions of law contained therein.

{¶4} Court costs are assessed against the respondent, and respondent is further ordered to make payment of twenty-five dollars to requester as recovery of his filing fee in this case. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

PATRICK M. McGRATH
Judge