



OFFICE OF THE
UTAH STATE AUDITOR

November 20, 2014

Stephen Capson
1979 Cherry Lane
Heber City, Utah 84032

Re: Appeal Pursuant to Utah Code § 63G-2-401 dated November 7, 2014

Dear Mr. Capson,

I have received your Appeal Pursuant to Utah Code § 63G-2-401 filed with the Office of the State Auditor ("Office") dated November 7, 2014. You have requested the following records pursuant to Utah's Government Records Access Management Act ("GRAMA"):

1. Any and all audit/investigation files, notes or documents related to Stephen Capson, Councilman Capson, Board Member Capson, etc. as Wasatch County Councilman or Board Member of Jordanelle Special Service District.
2. All communications concerning Stephen Capson from, to, or within the Office of the Utah State Auditor including but not limited to communications from or to John Dougall, Jodi Hoffman, L. Tasman Biesinger, Max Britton, Michael Johnson, Jeff Rogers, or Paul Rogers.

After a careful review of your appeal and the initial response from our Office Records Officer, Linda Siebenhaar, I adopt and re-affirm Ms. Siebenhaar's decision and reasoning. Utah Code § 63G-2-305(16) protects records of a governmental audit agency relating to an ongoing or planned audit until the final audit is released. Currently, the Office is conducting an audit of the Jordanelle Special Service District, and any of the records that you have requested, if they exist, would be related to that audit or a planned audit. Utah Code § 63G-2-305(10) similarly protects records if the release of records created or maintained for audit purposes reasonably could be expected to interfere with the audit or disclose audit techniques. Please note that even though you may be the subject of some of the records, if they exist, GRAMA does not generally provide the subject of the record access to protected records. See Utah Code § 63G-2-202(4).

You have the right to an appeal of this decision. Should you wish to appeal, you must file your appeal within thirty (30) days to either the Utah State Records Committee or, for judicial review, in a Utah District Court pursuant to Utah Code §§ 63G-2-403(1) and -404(2). An appeal to the Utah State Records Committee should be filed with the following individual:

State Records Committee
Attn: Nova Dubovik, Executive Secretary
State Archives
346 S. Rio Grande
Salt Lake City, Utah 84101

For further information concerning the procedures of an appeal, please review Utah Code §§ 63G-2-402, -403, & -404, and Utah Administrative Code R 35-2.

Respectfully,

A handwritten signature in black ink, appearing to read "John Dougall", is written over the typed name and title.

John Dougall
Utah State Auditor