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STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

Dan Barrett, Esq.
ACLU – VT
137 Elm St.
Montpelier, VT 05602

February 11, 2010

Re: Public Records Request dated February 5, 2010

Dear Dan:

I am writing in response to your request for records that was received by the Vermont Attorney General's Office on February 9, 2010.

You have requested two categories of records and I will respond to each request separately.

1. Records showing requests filed by the Attorney General's Office in any court since January 1, 2008, for the obtainment of mobile telephone location information from any telecommunications provider or mobile phone carrier.

Response

Any records possessed by the Attorney General's Office that are within the scope of your request are exempt from disclosure under the Public Records Act. More specifically, any such records would be exempt pursuant to 1 V.S.A. § 317(c)(1) because the records are by law designated confidential and § 317(c)(5) because the records deal with the detection and investigation of crime.

2. Records showing requests filed by the Attorney General's Office to any telecommunications provider or mobile phone carrier since January 1, 2008, for the obtainment of mobile telephone location information *absent a court order mandating that the carrier or provider furnish the information.* (Emphasis supplied).

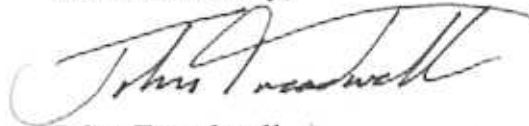
Response

The Vermont Attorney General's Office has been unable to identify any records that appear to fall within the scope of your request.

To the extent that this letter constitutes a denial of your request, you may appeal to the Deputy Attorney General. Any appeal should be in writing and addressed to:

Janet Murnane
Deputy Attorney General
109 State Street
Montpelier, VT 05609-1001

Yours Sincerely,

A handwritten signature in black ink, appearing to read "John Treadwell". The signature is fluid and cursive, with the first name "John" being particularly prominent.

John Treadwell
Assistant Attorney General

cc: file