

**Public Records Request  
Request and Denials  
Request dated: 6/2/2000**

**Denials Dated: 11/2/99; 7/18/00; 7/21/06**

HARRY ROBERT REINHART

ATTORNEY AT LAW

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June 2, 2000


David Lindloff  
c/o Preble Co. Prosecutor's Office  
103 N. Barron Street  
Eaton, Ohio 45320

Re: Autopsy of Lesa Marie Buckley  
Date of Autopsy = July 9, 1990  
Id. of Pathologist = Lee D. Lehman, M.D.  
Montgomery Co.)

Dear Mr. Lindloff:

I need a copy of the autopsy report conducted on the above described decedent. I need all autopsy photographs as well as the report (in other words, the complete protocol.) I am including a check in the amount of twenty-five dollars (\$25.00) to cover cost of duplication of reports and photographs. Please advise if these costs are exceeded. I have made the check out to you in your capacity as Investigator for the County Coroner.

Sincerely,



HARRY R. REINHART

HRR:CRB  
Enclosure

S:\user\t2\Scott\Lindloff



PREBLE COUNTY  
**PROSECUTING ATTORNEY**

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CHRISTOPHER L. ENGLERT  
Assistant Prosecuting Attorney

MARTIN P. VOTEL  
Assistant Prosecuting Attorney

DONNETTE A. FISHER  
Assistant Prosecuting Attorney

DAVID A. LINDLOFF  
Investigator  
(937) 456-4618

November 2, 1999



Ms. Cindy Thacker  
Attorney Assistance Inc.  
54 Lu Belle St.  
Dayton, Ohio 45403

**RE: Information Request**

Dear Ms. Thacker:

As I indicated to you over the phone, I have advised Mr. Lindloff of the Preble County Coroner's Office to not allow you to see the photographs regarding the autopsy and coroner's investigation of Lesa Buckley. This is because the photographs are not required to be presented for public inspection pursuant to Ohio Revised Code Section 149.43(A)(2)(c), as it is "specific investigatory work product." See The State, ex. Rel. Dayton Newspapers, Inc., DBA The Dayton Daily News v. Rauch (S. Cut. 1984) 12 OS3d 100, 465 N.L. 2d 458.

If you have any further questions or concerns, please feel free to contact me at 937-456-5462 at your convenience.

Sincerely,

Christopher L. Englert  
Assistant Prosecuting Attorney  
Preble County, Ohio

cc: David Lindloff  
Donnette Fisher

PREBLE COUNTY  
**PROSECUTING ATTORNEY**

CIVIL DIVISION  
103 N. BARRON STREET  
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July 18, 2000

Mr. Harry R. Reinhart  
Attorney At Law  
330 South High Street  
Columbus, Ohio 43215

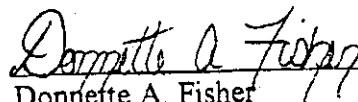
RECEIVED JUL 24 2000

**RE: Request for Autopsy Report of Lesa Marie Buckley**

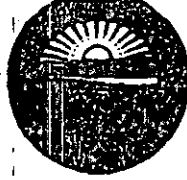
Dear Mr. Reinhart:

The Office of the Preble County Coroner has forwarded to me your request for a copy of the autopsy report and all autopsy photographs on the above named decedent. After review of Ohio law, I am writing to inform you that the autopsy report and photographs you have requested have been defined by the Courts of Ohio as "confidential law enforcement investigatory records" and therefore are exempt from public records law. See State ex. rel. Dayton Newspapers, Inc. v. Rauch; State ex. rel. Williams v. City of Cleveland; State ex. rel. Collins v. Corbin (Twelfth District). As the Office of the Preble County Coroner is unable to satisfy your request, we are returning herein your check for \$25.00.

Sincerely yours,

  
\_\_\_\_\_  
Donnette A. Fisher  
Assistant Prosecuting Attorney

cc: Vosler  
Lindloff



## MARTIN P. VOTEL

Prosecuting Attorney  
Preble County

July 21, 2006

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Mr. John Moody  
[REDACTED]  
[REDACTED]

### RE: PUBLIC RECORDS REQUEST: AUTOPSY REPORT OF LISA BUCKLEY

Dear Mr. Moody:

This letter is to memorialize your public record request seeking from the Preble County Coroner a copy of the autopsy report generated as result of the autopsy performed on the body of Lisa Buckley. It is my opinion as county Prosecuting Attorney that the record you seek is not a "public record" pursuant to Section 149.43 of the Ohio Revised Code. Accordingly, your request for a copy of said record is denied as it constitutes a "specific investigatory work product" pursuant to Section 149.43(A)(2)(c) of the Revised Code, and thus is exempt from the public record statute.

The authority I rely upon in formulating this opinion is Ohio Supreme Court precedent, namely Dayton News vs. Rauch (1984), 12 Ohio St.3d 100, syllabus; State ex rel. Williams vs. Cleveland (1992), 64 Ohio St.3d 544; Martinelli, (April 22, 1991, 8<sup>th</sup> Appellate District), 1991 W.L. 64349. I was pleased to discuss this matter with you during our telephone conversation on July 21, 2006. Should you have any additional questions, please feel free to call.

Sincerely,

Martin P. Votel  
Prosecuting Attorney

MPV/vm  
cc: Dr. John Vosler