



STATE OF INDIANA

MIKE BRAUN, Governor

**PUBLIC ACCESS COUNSELOR
JENNIFER RUBY**

Indiana Government Center South
402 West Washington Street, Room W470
Indianapolis, Indiana 46204-2745
Telephone: (317) 234-0906
Toll Free: 1-800-228-6013
Email: pac@opac.in.gov
Website: www.IN.gov/pac

October 17, 2025

Jennifer E. Gatz
*Address
Redacted*

Via email: *Address Redacted*

Re: Complaint 25-FC-015
Gatz, Morgan County Coroner

Dear Ms. Gatz:

This letter is in response to your complaint regarding the Morgan County Coroner.

A Notice of Complaint was sent to the Morgan County Coroner with a copy of your complaint attached. Your complaint alleges that the Morgan County Coroner failed to provide you with the documents you requested under the Access to Public Records Act (APRA).

The Notice requested a formal response to the complaint from the Morgan County Coroner. This office subsequently received a formal response from Attorney Anne L. Cowgur, Paganelli Law Group, on behalf of the Coroner's Office.

This office has also had numerous follow-up emails with both you and Attorney Cowgur to clarify details. We have reviewed your file and complaint.

This office has concluded that all records responsive to your request have been supplied. The Coroner's Office reports that you were given the Coroners Field Report, dated January 29, 1990, the Certificate of Death from the Indiana State Board of Health and the Autopsy Report, dated January 29, 1990. If you have failed to receive these documents this office suggests that you follow up with the Morgan County Coroner to obtain them.

It also appears that the Morgan County Sheriff's Office either provided you some documents or allowed you to view documents at their office. However, it is unclear as to what documents or photos those may have been.

It further appears that the Morgan County Coroner's Office spent considerable time and effort to track down all available records both in and outside the Coroner's Office. The response by Attorney Cowgur details the transition of the Coroner's Office and the then state of the Coroner's files when Mr. Ellis took office. It should be noted that the efforts to locate files and records in other agencies of the County are not required of Mr. Ellis under the APRA.

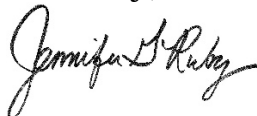
I.C. 5-14-3-3 provides that any person may inspect and copy the public records of any public agency. If the public agency does not deny the request, the public agency is required to deliver, within a reasonable time, the copies of the requested records to the maker of the request. According to your complaint and the response from the Coroner's Office, there is no issue or claim that the record request was denied and that records were being withheld on that basis.

Therefore, the issue becomes whether copies of all records were released to you as requested. The response of the County Coroner's Office states that all records have been provided to you that are responsive to your request. The APRA does not require a public agency to create records that it does not hold. The APRA cannot require the delivery of copies of records that do not exist.

Therefore, this office concludes, based upon their response, that the Morgan County Coroner's Office did not violate APRA in failing to provide copies of records pursuant to your request.

The matter of requesting a reconsideration of the autopsy conclusion does not fall within the provisions of the APRA nor the jurisdiction of this office. This office expresses no opinion on that matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer G. Ruby". The signature is fluid and cursive, with the first name being the most prominent.

Jennifer G. Ruby
Public Access Counselor

cc: Anne L. Cowgur, Paganelli Law Group
via email: *Address Redacted*