

Since 1975



# FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106  
Toll free (CT only): (866)374-3617 Tel: (860)566-5682 Fax: (860)566-6474 • www.state.ct.us/foi/ • email: foi@po.state.ct.us

James McKinnon,  
Complainant(s)  
against

Notice of Meeting  
Docket #FIC 2011-428

Michael Phillips, FOI Correctional Officer, State  
of Connecticut, Department of Correction,  
Osborn Correctional Institution; and State of  
Connecticut, Department of Correction,  
Respondent(s)

May 8, 2012

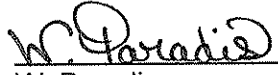
### Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, May 30, 2012**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE May 18, 2012**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, the Commission requests that an **original and fourteen (14) copies** be filed **ON OR BEFORE May 18, 2012**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fourteen (14) copies** be filed **ON OR BEFORE May 18, 2012**, and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of  
Information Commission  
  
W. Paradis  
Acting Clerk of the Commission

Notice to: James McKinnon  
James Neil, Esq.  
cc: Kristine Barone

2012-05-08/FIC# 2011-428/Trans/wrbp/MES/VDH

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

James McKinnon,

Complainant

against

Docket #FIC 2011-428

Michael Phillips, FOI Correctional Officer,  
State of Connecticut, Department of Correction,  
Osborn Correctional Institution; and State  
of Connecticut, Department of Correction,

Respondents

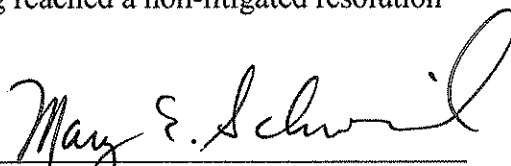
April 23, 2012

The above-captioned matter was heard as contested case on April 13, 2012, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. See Docket No. CV 03-0826293, Anthony Sinchak v. FOIC et al, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.). For purposes of hearing, the above-captioned matter was consolidated with docket #FIC 2011-486; James McKinnon v. FOI Liaison, State of Connecticut, Department of Correction, Osborn CI; and State of Connecticut, Department of Correction.

On April 17, 2012, the complainant filed with the Commission a withdrawal of the complaint in this matter. The Commission takes administrative notice of such withdrawal.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is hereby dismissed.
2. The Commission commends the parties on having reached a non-litigated resolution of this complaint.

  
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Mary E. Schwind  
as Hearing Officer