



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET
LANSING

JOHN E. NIXON, CPA
DIRECTOR

FREEDOM OF INFORMATION ACT (FOIA) RESPONSE

October 30, 2013

Mr. Steven R. Harry
3125 Tecumseh River Road
Lansing, Michigan 48906

Dear Mr. Harry:

This notice is in response to your letter of October 10, 2013 (a copy of which is enclosed), received by the Department of Technology, Management & Budget (Department) on October 16, 2013, appealing the Department's October 8, 2013 written notice denying your September 23, 2013 request for information under the Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

This letter constitutes a written notice reversing in part and upholding in part the disclosure denial of your request, as follows:

The disclosure denial of Item No. 1 of your request is reversed. Enclosed please find those records we have identified as responsive to this part of your request.

The disclosure denial of Item Nos. 2, 3, and 4 of your request is upheld pursuant to section 3(1) of the FOIA. Records do not exist within the department under the description you provided. The FOIA does not require a public body to create a record where one does not exist. See section 3(5), MCL 15.233(5).

Accordingly, these parts of your request must be denied.

Pursuant to section 10 of the FOIA, you may seek judicial review of the denial of your request by commencing an action in circuit court. A full explanation of section 10 rights was also provided in our response of October 8, 2013.

Sincerely,

John E. Nixon, CPA
State Budget Director
Director, Department of Technology, Management & Budget

Enclosures