

[DISTRICT NUMBER] JUDICIAL DISTRICT COURT OF THE
STATE OF WYOMING, COUNTY OF [NAME]

[JOURNALIST'S NAME])
)
) Civil Action No. ____
 Plaintiff,)
)
 - against -)
)
 [OFFICIAL CUSTODIAN OF RECORDS],)
 [TITLE] [AGENCY OF STATE OF)
 WYOMING], as Custodian of Certain)
 Records)
)
 Defendant.

COMPLAINT

Plaintiff, [Journalist Name], acting by and through [his/her] undersigned counsel files this complaint seeking declaratory and other relief pursuant to the Wyoming Public Records Act, W.S. § 16-4-201 et. seq. (“WPRA” or “Act”). Plaintiff alleges as follows:

1. Plaintiff, [Journalist’s Name,] a Wyoming student-journalist, requested public records, relevant to [description of issue] from [State Agency].
2. [Custodian], [Defendant’s Title] (at/of) [State Agency which employs Defendant] has denied Plaintiff access to the requested public records.
3. Petitioner seeks an order from this Court directing the Defendant to appear and show cause, if any, why Plaintiff should not be permitted to inspect the public records sought, declaring that the public records sought are subject to disclosure under the WPRA, as well as waiver of any fees of copying and access and an award of Plaintiff’s reasonable attorney’s fee and litigation costs.

PARTIES

4. Plaintiff, [Journalist Name], during [most/all] of the events at issue, was [title] of the [university name]’s student newspaper, [newspaper name]. [Short description of Journalist’s duties and work as journalist].

5. Plaintiff is a resident of the State of Wyoming, County of [County].

6. Defendant, [Custodian], is the "custodian" and "official custodian" of [describe records sought] for [Agency of State of Wyoming] pursuant to W.S. §§ 16-4-201(a)(i) and 16-4-201(a)(ii). Defendant [Custodian] is a "custodian" within the meaning of the WPRA, W.S. § 16-4-201(a).

JURISDICTION AND VENUE

7. This action is brought pursuant to W.S. § 16-4-203(f).

8. The [records sought] are located in the County of [County], thereby giving this court jurisdiction and venue pursuant to W.S. § 16-4-203(f).

FACTUAL ALLEGATIONS

9. [Agency of the State of Wyoming] is a public agency, and its records are subject to the Act, W.S. § 16-4-201 et seq.

10. On [date], [Journalist's Name] submitted a written WPRA request for access to public records to [Agency] seeking [describe public records sought] relevant to [describe]. A true and correct copy of the request is included as Exhibit [A].

11. [Describe records sought] are "public records" pursuant to W.S. § 16-4-201(a)(v).

12. Defendant denied Plaintiff's request to inspect such records. [Describe Defendant's response, including what records were withheld and what reasons were given for withholding the records.], A true and correct copy of Defendant's response letter is included as Exhibit [B].

13. [Use additional space to describe any further communications regarding the Request in chronological order, including description of communications related to a partial production by the Agency.]

14. [If Defendant has claimed that records are exempted from disclosure, use the following: The records Defendant refused to produce are not exempted from disclosure because [state reasons why claimed exemptions do not apply].

15. As of the date of this complaint, Defendant has refused to disclose to Plaintiff [describe what records are being withheld.]

CLAIMS FOR RELIEF

Claim One: Review of Good Cause

16. The allegations set forth in paragraphs 1 thru ___ are incorporated herein by reference.

17. The records that Plaintiff requested from Defendant are “public records” within the meaning of W.S. § 16-4-201(a)(v).

18. Defendant’s denial of access is contrary to the WPRA, which provides a general rule of access to public records by persons of interest. W.S. § 16-4-202. The purpose of the Act is disclosure, not secrecy.

19. [If applicable: In denying Plaintiff access to the requested records, Defendant asserted that [describe any exemption or rationale asserted]. [Describe briefly why the claimed exemption or rationale is not applicable to the requested documents.]

20. The Supreme Court interprets the exceptions of the Act liberally in favor of disclosure. *Houghton v. Franscell*, 870 P.2d 1050 (Wyo. 1994).

21. Pursuant to W.S. § 16-4-203(f), Plaintiff is entitled to an order directing the Defendant to appear and show cause, if any, why Plaintiff should not be permitted to inspect the public records sought.

Claim Two: Declaratory Relief

21. The allegations set forth in paragraphs 1 thru ___ are incorporated herein by reference.

22. This action is ripe for declaratory judgment under the Uniform Declaratory Judgments Act, W.S. § 1-37-102. *Village Road Coalition v. Teton County Housing Authority*, 298 P.3d. 163, 168 (Wyo. 2013).

23. Plaintiff is entitled to a finding of fact that the requested public records are not subject to exemptions under the WPRA, and are subject to public disclosure. W.S. § 1-37-111.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays this Court:

1. Assume jurisdiction over this action;
2. Issue an Order to Show Cause pursuant to W.S. § 16-4-203(f) requiring Defendant to appear and show cause, if any, for why he should not permit inspection and copying of the requested public records;
3. Review the requested public records in chambers with counsel, if necessary, and determine that the documents are not subject to exemptions under the WPRA; and
4. Award costs and reasonable attorney's fees of this action, and other such relief as the Court deems just and proper.

Dated this [xx] day of [month], [xxxx].

Respectfully submitted,

[Plaintiff's Attorney]

Lawyer's Firm
Street Address
City, State Zip
Phone

Email]

Attorney for Plaintiff

Exhibits

[ATTACH EXHIBITS MENTIONED IN COMPLAINT]