



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

Omar Miller,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2016-0044

Commissioner, State of Connecticut,
Department of Correction; and State of
Connecticut, Department of Correction,
Respondent(s)

November 15, 2016

Transmittal of Proposed Final Decision Dated November 15, 2016

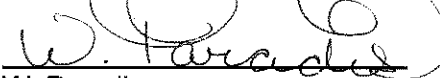
In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision dated November 15, 2016, prepared by the hearing officer in the above-captioned matter.

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, December 7, 2016**. 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 November 22, 2016*. 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, an **original and fourteen (14) copies** must be filed *on or before November 22, 2016*. **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 **fifteen (15) copies** be filed *on or before November 22, 2016* 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: Omar Miller
Attorney James Neil
cc: Craig Washington

FIC# 2016-0044/Trans/wrbp/TCB/VDH/2016-11-15

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer
After Remand

Omar Miller,

Complainant

against

Docket #FIC 2016-0044

Commissioner, State of Connecticut,
Department of Correction; and State of
Connecticut, Department of Correction,

Respondents

November 15, 2016

The above-captioned matter was scheduled to be heard as a contested case on June 28, 2016 at 9:30 a.m., at which time the respondents appeared with a witness; however, the complainant failed to appear. A Report of Hearing Officer was issued on June 28, 2016. The Commission considered such report at its regular meeting of September 28, 2016. After hearing argument from the parties, the Commission unanimously voted to send the matter back to the Hearing Officer for the purpose of reopening the hearing.

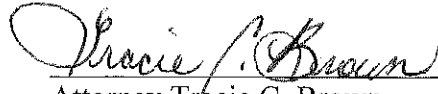
The above-captioned matter was reopened and heard as a contested case on November 8, 2016 at 9:30 a.m., at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

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.).

At the November 8, 2016 hearing on this matter, the complainant stated on the record that he wished to withdraw his complaint.

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

1. Based on the complainant's statement withdrawing his complaint, the matter is hereby dismissed.



Attorney Tracie C. Brown
as Hearing Officer

FIC2016-0044/hor/tcb/20161108