



North Carolina Citizens
for CONSTITUTIONAL RIGHTS

FILE COPY

(Office) (704) 684-5505
(Mobile) (704) 609-4159
thepatriotwagon@gmail.com

Via Email and USPS First Class Mail:

Union Health & Human Services
Attn: Custodian of Records
c/o Ashley Lantz
2330 Concord Ave.
Monroe North Carolina 28110
704-296-4300
ashley.lantz@unioncountync.gov

RE: NORTH CAROLINA PUBLIC RECORDS REQUEST

Dear Custodian of Records,

I am contacting you as the director of North Carolina Citizens for Constitutional Rights, LLC (“NCC4CR”) to request certain records in accordance with the North Carolina Public Records Act.

As a citizen of North Carolina, NCC4CR and its members are members of the public entitled to receive copies of, or an opportunity to review, any non-exempt “public records” which the {County} Health & Human Services possesses. Under Chapter 132 of the North Carolina General Statutes (the, “Public Records Act”), a “public record” includes:

“all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions.”

N.C. Gen. Stat. § 132-1(a).

It is the public policy of North Carolina that such records be made available to the public unless otherwise specifically provided by law. *Id.* at § 132-1(b). According to numerous decisions by the courts of North Carolina, Public Records Act provides for liberal access to public records.⁵⁴⁷ Public records may be withheld from disclosure under the Act only if an agency or record is specifically exempted under the statute. G.S. §§ 132-1 to 132-10 et seq.⁵⁴⁸ However, exceptions

⁵⁴⁷ *Jackson v. Charlotte Mecklenburg Hosp. Authority*, 238 N.C.App. 351, 768 S.E.2d 23 (2014); *Wallace Farm, Inc. v. City of Charlotte*, 203 N.C.App. 144, 689 S.E.2d 922, *review denied* 364 N.C. 334, 701 S.E.2d 681 (2010); *Knight Pub. Co. v. Charlotte-Mecklenburg Hosp. Authority*, 172 N.C.App. 486, 616 S.E.2d 602, *review denied* 360 N.C. 176, 626 S.E.2d 299 (2005).

⁵⁴⁸ *See also Times-News Pub. Co., Inc. v. State*, 124 N.C.App. 175, 476 S.E.2d 450, *appeal dismissed, review denied* 345 N.C. 645, 483 S.E.2d 717 (1996).



to the Public Records Act should be strictly construed, and those seeking to come within the exception have the burden of justifying their action.⁶⁰⁹ In the absence of clear statutory exemption or exception, documents falling within the definition of “public records” in the Public Records Act must be made available for public inspection. (emphasis added).⁶¹⁰

NCC4CR and its members are seeking public records pertaining to, or responsive to, the following categories:

SEE ATTACHED EXHIBIT A.

As the custodian of public records for the {County} Health & Human Services, it is expected that the requested records would be made available for inspection, or copies provided, in a reasonable period of time.⁶¹¹ Thus, we ask that the responsive public records be made available within the next 14 business days. Delays in making the requested public records available will necessitate compelling compliance in court.⁶¹²

In responding to the request, if copies are being provided, the copies should be aggregated and/or labeled by category to indicate which part of the request they are responsive to. Also, please indicate which records are only available by inspection and the dates, times, and locations where they may be accessed. If you believe a particular record is exempted from disclosure, please provide a description of the document being withheld and the statutory exemption you believe applies.

We appreciate your prompt attention in addressing this matter. If you have any questions or concerns, please feel free to contact our office about this request.

⁶⁰⁹ See *News & Observer Pub. Co. v. Interim Bd. of Ed. for Wake Cty.*, 29 N.C. App. 37, 47, 223 S.E.2d 580, 586–87 (1976) (discussing principle of strict construction as applied to the North Carolina Open Meetings Law).

⁶¹⁰ *Knight Pub. Co. v. Charlotte-Mecklenburg Hosp. Authority*, 172 N.C.App. 486, 616 S.E.2d 602, review denied 360 N.C. 176, 626 S.E.2d 299 (2005).

⁶¹¹ See N.C. Gen. Stat. § 132-6(a) (“Every custodian of public records shall permit any record in the custodian’s custody to be inspected and examined at *reasonable times* and under reasonable supervision by any person, and shall, *as promptly as possible*, furnish copies thereof upon payment of any fees as may be prescribed by law.” (emphasis added)); see generally N.C. Gen. Stat. § 132-6(d) (“the agency shall disclose as soon as practicable,” and “within 25 business days”).

⁶¹² See *Cline v. Hoke*, 2014, 238 N.C.App. 16, 766 S.E.2d 861 (2014) (In order to compel an unresponsive custodian of public records to fulfill his statutory duty to permit reasonable inspection of those records by the public, a party must sue the custodian of the records in the custodian’s official capacity.)



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CC:

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Counsel for NCC4CR

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$3.75	0633
\$ 3.75	60
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
<input type="checkbox"/> Return Receipt (hardcopy) \$ 3.00	09/09/2021
<input type="checkbox"/> Return Receipt (electronic) \$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ 0.00	
<input type="checkbox"/> Adult Signature Required \$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ 0.00	
Postage \$0.58	
\$.58	
Total Postage and Fees \$7.38	
\$ 7.38	
Sent To Union HHS Attn: Custodian of Records	
Street and Apt. No., or PO Box No. 2330 Concord Ave	
City, State, ZIP+4® Monroe NC 28110	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 5614 2512

Post Office Box 644
Indian Trail, North Carolina 28079



EXHIBIT A

- Records and documentations showing Virus Isolation of the Sars-Cov-2 (the “Corona Virus”), virus believed to cause the disease COVID-19;
- All records and documents regarding the use of the Polymerase Chain Reaction test (PCR) for testing and diagnosing the disease referred to as COVID-19; including, but not limited to, fact sheets, cycle thresholds, scientific literature and/or expert recommendations relied upon;
- Any documents, reports, policies, and/or procedures for reporting PCR test results to the Department or the NCDHHS;
- All records and documentation regarding current Corona Virus and COVID-19 infection mitigation protocols and procedures, to include the use of masks, social distancing, and quarantining. Please include all studies, peer review articles, or other scientific literature relied upon by the Department, and communications from NCDHHS to any governing body (federal, state, county, or municipality) or medical facility/groups regarding the use or recommendation of such protocols and procedures;
- All records, documents, and written communications (to include emails) regarding the Department’s recommendation of current Corona Virus and COVID-19 infection mitigation protocols and procedures sent to or received from the local County School Board and other educational institutions in your County;
- All records, documentation, reports, and data regarding Total COVID-19 Cases, Completed COVID-19 Tests (PCR and Antigen), COVID-19 Hospitalization, COVID-19 Vaccine Rates (by demographic) and COVID-19 related deaths (by demographic and specify death with vs. death from COVID-19) from January 2020 thru August 15, 2021, specifically for your County;
- Written correspondences, including emails and letters, between your office and NCDHHS and the Governor’s Office regarding the Corona Virus and recommendations for declaring a public health emergency;
- All records, documentation, and communications regarding the COVID-19 “vaccines” being utilized in North Carolina, including, but not limited to, vaccine inserts, contracts, adverse side effects, and recommendations;
- All documents and communication pertaining to federal funding, cooperation agreements, and memorandum of understanding related or pertaining to SARS-CoV-2 and/or COVID-19.