

**Opinion No. 23-3731**

August 18, 1923

**BY:** JOHN W. ARMSTRONG, Assistant Attorney General

**TO:** Requested by: Hon. Joseph Grant, Deputy for Blue Sky Department, State Bank Examiner's office, Santa Fe, New Mexico.

**Confidential Matters Submitted to Bank Examiner May Not Be Made Public.**

**OPINION**

{\*89} We have examined the demand of Mr. John H. McCutcheon for inspection of the records of your office relating to the Magee Publishing Company, together with your inquiry, and conclude:

That your office would not be authorized to exhibit such records upon the demand made, but that you would be authorized to consider the demand in the nature of complaint to justify you in making an investigation sufficient to determine the truth of the matters stated and take such further action, based upon the investigation, as your office may deem proper.

You ask further whether or not the McCutcheon demand may be made public, the request coming from Mr. McCutcheon that the same be considered confidential. We think this demand from Mr. McCutcheon may not be made public except by his expressed authority or proper court procedure. This is in line with the opinion we have heretofore rendered you and the position you have heretofore taken.