

OOOR RESPONSE TO PETITION FOR RECONSIDERATION

DATE ISSUED AND MAILED: April 30, 2024

IN RE: *Donna Yozwiak v. Pleasant Valley Sch. Dist.*, OOR Dkt. AP 2024-0944

Upon review of the petition for reconsideration (“Petition”) filed by the Requester, Donna Yozwiak, with the Office of Open Records (“OOR”) to the above-referenced docket number, the Petition is respectfully **DENIED**. I have reviewed the appeal file, and I cannot conclude that the Appeals Officer committed an error of law or abuse of discretion in dismissing the appeal. The OOR’s April 8, 2024 Order directed the Requester to provide the complete agency response. Although the Requester’s appeal form references an April 1, 2024 final response by the agency, the Requester did not provide any correspondence with that date.¹ Without the agency’s complete final response, the OOR is unable to fully adjudicate the appeal.

As set forth in the Final Determination, either party may appeal the Final Determination to the Monroe County Court of Common Pleas. Additionally, the Requester is not prohibited from filing a new request for records, and if necessary, filing a new appeal to the OOR, pursuant to 65 P.S. § 67.1101(a)(1).

Issued by:

/s/ Kyle Applegate

CHIEF COUNSEL

Sent via E-File Portal: Donna Yozwiak; Michael Simonetta

¹ While the Requester explains that they provided “all of the documents that [they] received from the agency,” the Requester did not provide any correspondence dated April 1, 2024 which granted or denied the Request. Further, after the April 8, 2024 Order, the Requester did not provide any explanation that would indicate that such correspondence does not exist.