

## **FINAL DETERMINATION**

DATE ISSUED AND MAILED: April 23, 2024

IN RE: *Vernon Robinson v. Pa. Parole Board*; OOR Dkt. AP 2024-0919

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED**:

On April 5, 2024, the OOR issued an Order notifying Vernon Robinson (“Requester”) that the appeal was deficient because it failed to include a copy of the Right-to-Know Law (“RTKL”) request (“Request”) or the Board’s final response to the Request. The OOR informed the Requester that these documents were required to cure the deficiency and directed the Requester to file a copy of the Request and Board’s final response by April 19, 2024, pursuant to 65 P.S. § 67.1303(b). However, to date, the Requester has not submitted complete copies of the requested documents.<sup>1</sup> Therefore, the appeal is not sufficient and without these documents, the OOR does not have a complete record upon which to base its determination. Additionally, the OOR would be unable to present a complete record on appeal to an appellate court as required by Section 1303(b) of the RTKL. As the Requester has failed to comply with the OOR’s Order, this matter is **dismissed**.

For this reason, the Board is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303, but as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.<sup>2</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

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JOSHUA T. YOUNG  
SENIOR DEPUTY CHIEF COUNSEL

Sent to: Vernon Robinson, #FZ-0066 (via U.S. Mail);  
Janaki Theivakumaran, AORO (via e-file portal)

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<sup>1</sup> By correspondence dated April 17, 2024, the Requester submitted a second copy of the RTKL appeal form dated March 26, 2024, as well as a partial copy of a final response from the Board, dated March 26, 2024, which references a RTKL request received by the Board on March 19, 2024. However, neither a complete copy of the final response, which the Requester’s appeal form identifies as being dated March 14, 2024, nor a copy of the RTKL request dated March 19, 2024 was provided.

<sup>2</sup> *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).