



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 8, 2016

IN RE: *Carlos Valentine v. Department of Corrections,*
OOR Dkt. AP 2016-1194

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 deficient for the reason(s) specified below. Accordingly, the appeal is **DISMISSED**, and the local agency is not required to take any further action.

- Appeal filed beyond fifteen (15) business days of denial/deemed denial.
- Appeal failed to state why records are public records.
- Appeal failed to address agency grounds for denial of access to records.
- OOR lacks jurisdiction over agency from which records are sought.
- OOR lacks jurisdiction over local agency criminal investigative records.
- Other: Appeal is untimely. Request dated May 31, 2016. Agency response dated June 13, 2016. Appeals must be received by OOR within fifteen business days of date the Request was granted/denied. Appeal due July 1, 2016. Appeal received July 13, 2016 (postmarked July 7, 2016). Note: Nothing precludes the Requester from re-submitting the request to the agency, and filing a new appeal.

Within thirty (30) days of the mailing date of this Final Determination, you may appeal or petition for review to the Commonwealth Court of Pennsylvania. 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 Section 1303. However, 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.¹

Issued by:

A handwritten signature in black ink, appearing to read "Charles Rees Brown", written over a horizontal line.

Charles Rees Brown
Chief Counsel

Sent to: Requester, Agency Open Records Officer

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n. 5 (Pa. Commw. Ct. 2013).