



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 9, 2016

IN RE: *David Dixon v. Pennsylvania Board of Probation and Parole*,
OOR Dkt. AP 2016-1312

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**.

- Appeal filed beyond fifteen (15) business days of denial/deemed denial.
- Appeal failed to include a copy of the Request and/or agency Response.
- 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.
- Request does not seek records.
- Other: Appeal is insufficient pursuant to Section IV(C)(2)(a) of the OOR Procedural Guidelines. Appeals which are submitted hard copy MUST be submitted on 8 ½ x 11 or 8 ½ x 14 inch paper.

You may re-file the appeal unless fifteen business days have elapsed since the denial or deemed denial of your request for records. You must include **all** required components/documents, including any submitted in this case, if the appeal is re-filed. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review to 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 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).



pennsylvania
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