



(Pa. Commw. Ct. 2013)). Based on the evidence provided, the County has met its burden of proving that the requested records do not exist in the County's possession, custody or control. Accordingly, the appeal is **denied**.

For the foregoing reasons, the County is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal or petition for review to the Bucks County Court of Common Pleas. 65 P.S. § 67.1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond as per Section 1303 of the RTKL. 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.<sup>2</sup> This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

**FINAL DETERMINATION ISSUED AND MAILED: September 1, 2016**

*/s/ Charles Rees Brown*

---

Charles Rees Brown  
Chief Counsel

Sent to:           Roberta Turner (via e-mail only);  
                      Karen Fanelli (via e-mail only)

---

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