



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 27, 2016

IN RE: *Howard Todd v. City of Pittsburgh*,
OOR Dkt. AP 2016-1626

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 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.
- Other: Appeal must state why documents requested are public. See 65 P.S. § 67.1101(a)(1). Appeal does not address the Agency’s reason(s) for denying access to the requested records. Appeal may be re-filed no later than October 4, 2016.

Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Allegheny 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 according to court rules as per 65 P.S. § 67.1303. 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:

/s/ Kyle Applegate

Appeals Officer
Kyle Applegate

Sent to: Requester, Agency Open Records Officer

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