

Accordingly, as the Request sought an answer to a question rather than records, the appeal is dismissed. *See Petka v. Pa. Dep't of Transp.*, OOR Dkt. AP 2014-1288, 2014 PA O.O.R.D. LEXIS 996.

For the foregoing reasons, the appeal is **dismissed**, and the Department 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 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 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.¹ This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: October 17, 2016

/s/ Charles Rees Brown

Charles Rees Brown
Chief Counsel

Sent to: Darren Gentilquore (GX 1572) SCI-Forest;
Chase Defelice, Esq. (via e-mail only);
Andrew Filkosky (via e-mail only)

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