



**pennsylvania**  
OFFICE OF OPEN RECORDS

**AMENDED FINAL DETERMINATION**

<b>IN THE MATTER OF</b>	:	
	:	
<b>ROBERT FENNELL,</b>	:	
<b>Requester</b>	:	
	:	
<b>v.</b>	:	<b>Docket No: AP 2016-1731</b>
	:	
<b>PHILADELPHIA PARKING AUTHORITY,</b>	:	
<b>Respondent</b>	:	
	:	

The Office of Open Records (“OOR”) received the above-captioned appeal under the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* Upon review of the file, the appeal is dismissed for the following reason:

On September 8, 2016, Robert Fennell (“Requester”), an inmate at SCI-Huntingdon, submitted a request (“Request”) to the Philadelphia Parking Authority (“Authority”), seeking a list of vehicles listed for auction. On September 9, 2016, the Authority granted the Request, sending the list to the address the Requester provided, which did not indicate his status as an inmate. On September 20, 2016, the letter was returned to the Authority because it was missing the Requester’s inmate number. On October 14, 2016, the Requester filed an appeal with the OOR, claiming the Authority never responded to the Request, and the Request was, therefore, deemed denied. *See* 65 P.S. § 67.901. On October 24, 2016, after having received the Official Notice of Appeal from the OOR with the Requester’s inmate number, the Authority again mailed the requested record to the Requester.<sup>1</sup> The Requester did not make a submission on appeal and did not object to the sufficiency of this record.

For the foregoing reason, Requester’s appeal is **dismissed as moot**, and the Authority 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 to the Commonwealth Court. 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

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<sup>1</sup> The Authority also provided a copy of the record to the OOR.

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 OOR website at: <http://openrecords.pa.gov>.

**AMENDED FINAL DETERMINATION ISSUED AND MAILED: November 10, 2016**

/s/ Blake Eilers

Blake Eilers, Esq.  
Appeals Officer

Sent to: Robert Fennell, GW-0392;  
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<sup>2</sup> See *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).