

FINAL DETERMINATION

DATE ISSUED AND MAILED: August 5, 2022

IN RE: *Keith Bartelli v. Judicial Conduct Board of Pennsylvania*, OOR Dkt. AP 2022-1816

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 **DISMISSED** because:

The OOR lacks jurisdiction. The Judicial Conduct Board of Pennsylvania (“Board”) is a judicial agency. The OOR does not have jurisdiction over judicial agencies. 65 P.S. §§ 67.503(a)-(b). As noted in the Board’s July 11, 2022 response to you, an appeal of that response may be made to the Board’s Appeals Officer.

For this reason, the Board is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with 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 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

Chief Counsel
Kyle Applegate

Sent to: Requester (via first class mail); Judicial Conduct Board of Pennsylvania (via email)

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