



Supreme Court of Pennsylvania

Amy Dreibelbis, Esq.
Deputy Prothonotary
Elizabeth E. Zisk
Chief Clerk

Middle District

601 Commonwealth Avenue, Suite 4500
P.O. Box 62575
Harrisburg, PA 17106
(717) 787-6181
www.pacourts.us

December 8, 2022

ACKNOWLEDGMENT

Kyle Applegate, Esq.
Chief Counsel
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17101-2234

RE: Schwartz, D., Aplt. v. PA State Police
98 MAP 2022
Intermediate Court Docket No: 481 MD 2021
Agency: Office of Open Records
Agency Docket No: AP 2021-0916

Kyle Applegate

_____ received from the Supreme Court of Pennsylvania,
(fill in your name)
Middle District, a certified copy of the November 23, 2022, order and a copy of the docket sheet.

/s/ Kyle Applegate
Please sign and return to above address

/is

RECEIVED

DEC 12 2022

OFFICE OF OPEN RECORDS

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

DANIEL SCHWARTZ,

Appellant

v.

PENNSYLVANIA STATE POLICE,

Appellee

: No. 98 MAP 2022
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ORDER

PER CURIAM

AND NOW, this 23rd day of November, 2022, the Notice of Appeal is QUASHED. See Pa.R.A.P. 3761, Note (explaining that an order from the Commonwealth Court in an enforcement action is to be challenged via a Petition for Allowance of Appeal) (citing *DEP v. Cromwell Twp.*, 32 A.3d 639 (Pa. 2012)).

A True Copy Elizabeth E. Zisk
As Of 11/23/2022


Attest:
Chief Clerk
Supreme Court of Pennsylvania

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 98 MAP 2022

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December 8, 2022

CAPTION

Daniel Schwartz, Appellant
v.
Pennsylvania State Police, Appellee

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Journal Number:

Case Category: Administrative Agency Case Type(s): Open Records Enforcement Proceeding

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
416 MAL 2022	Related
Same Record Below	
Schwartz, D., Pet. v. PA State Police	

COUNSEL INFORMATION

Attorney: Knudsen Burke, Paula
Reporters Committee for Freedom of the Press

Address: Po Box 1328
101 N Queen St
Lancaster, PA 17608

Phone No: (717) 370-6884

Receive Mail: Yes

Receive EMail: Yes

Representing: Schwartz, Daniel, Appellant

Pro Se: No

IFP Status: Pending

Email:

Attorney: Murray, Heather E.
Pro Hac Vice

Address: Cornell Law School First Amendent Clinic
Myron Taylor Hall
Ithaca, NY 14853

Receive Mail: Yes

Representing: Schwartz, Daniel, Appellant

Pro Se: No

IFP Status: Pending

Supreme Court of Pennsylvania



Appeal Docket Sheet

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December 8, 2022

COUNSEL INFORMATION

Attorney: Beck, Daniel Canton

Address: Governor's Office of General Counsel
Chief Counsel for Pennsylvania State Police
333 Market Street, 17th Floor
Harrisburg, PA 17101

Receive Mail: Yes

Representing: Pennsylvania State Police, Appellee

Pro Se: No

IFP Status:

Attorney: Rodriguez, Emily Jane
Pennsylvania State Police

Address: 1800 Elmerton Ave
Harrisburg, PA 17110

Phone No: (717) 783-5568

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Pennsylvania State Police, Appellee

Pro Se: No

IFP Status:

SUPREME COURT INFORMATION

Appeal From: the order of the Commonwealth Court dated August 24, 2022 at No. 481 MD 2021 denying the Petition for Enforcement from the decision of the Office of Open Record dated July 22, 2021 at No. AP-2021-0916.

Appeal Filed Below: 9/23/2022 12:00:00AM

Probable Jurisdiction Noted: Docketed Date: September 26, 2022

Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:

Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
09/26/2022	Notice of Appeal	90.25	09/28/2022	2022-SUP-M-002224	90.25

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Commonwealth Docket Number: 481 MD 2021

Date of Order: August 24, 2022 Rearg/Recon Disp Date:

Rearg/Recon Disposition:

Judge(s): Ceisler, Ellen

Intermediate Appellate Court Action: Petition to Enforce Denied

Referring Court:

AGENCY/TRIAL COURT INFORMATION

Supreme Court of Pennsylvania



Appeal Docket Sheet

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Court Below: Office of Open Records

County:

Division: Office of Open Records

Date of Agency/Trial Court Order: July 22, 2021

Docket Number: AP 2021-0916

Judge(s):

OTN:

Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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Record Remittal:

DISPOSITION INFORMATION

Related Journal No:

Judgment Date:

Category: Decided

Disposition Author: Per Curiam

Disposition: Quashed

Disposition Date: November 23, 2022

Dispositional Filing: **Order**

Author: Per Curiam

Filed Date: November 23, 2022

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
September 23, 2022	Notice of Appeal	Appellant	Schwartz, Daniel

Comments:

9/26/22- Requested filing fee w/ 7 days.

9/28/22- Fee rec'd and applied

September 23, 2022 Notice of Appeal and Jurisdictional Statement Combined Filed

Appellant

Schwartz, Daniel

November 23, 2022 Quashed

Per Curiam

Comments:

AND NOW, this 23rd day of November, 2022, the Notice of Appeal is QUASHED. See Pa.R.A.P. 3761, Note (explaining that an order from the Commonwealth Court in an enforcement action is to be challenged via a Petition for Allowance of Appeal) (citing DEP v. Cromwell Twp., 32 A.3d 639 (Pa. 2012)).

November 23, 2022 Order Exited

Office of the Prothonotary

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 98 MAP 2022

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December 8, 2022

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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December 8, 2022	Remitted		
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Office of the Prothonotary

Comments:
Remitted to Commonwealth Court

CROSS COURT ACTIONS

Docket Number:	416 MAL 2022
Docket Number:	481 MD 2021