

FINAL DETERMINATION

DATE ISSUED AND MAILED: September 18, 2023

IN RE: *Edward Kennedy v. Pennsylvania Office of Attorney General*, OOR Dkt. AP 2023-2159

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 Office of Attorney General (“Attorney General”) is a Commonwealth agency that is not subject to the jurisdiction of the OOR. See 65 P.S. § 67.102; 65 P.S. § 67.503(d)(1). Instead, appeals involving the Attorney General are to be heard by an appeals officer designated by the Attorney General. 65 P.S. § 67.503(d)(1) (“The Attorney General ... shall designate an appeals officer to hear appeals under Chapter 11”).

For this reason, the Attorney General 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/ Joshua Young

Senior Deputy Chief Counsel
Joshua Young, Esq.

Sent to: Requester, Pennsylvania Office of Attorney General

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