

OOOR RESPONSE TO PETITION FOR RECONSIDERATION

DATE ISSUED AND MAILED: April 1, 2024

IN RE: *John Weiser v. Adams County Constable Ass'n*, OOR Dkt. AP 2024-0830

Upon review of the petition for reconsideration ("Petition") filed by the Requester, John Weiser, with the Office of Open Records ("OOR") to the above-referenced docket number, it is determined that the Petition is respectfully **DENIED**.

I cannot conclude that the Appeals Officer erred as a matter of law by dismissing the appeal. As noted in the Final Determination, the Adams County Constable Association ("Association") is a registered nonprofit corporation. Further, the definition of "Local agency" under the Right-to-Know Law does not include associations. 65 P.S. § 67.102. While the Requester argues that the "Association, a group of elected public officials, is an agency," the Requester has not submitted any legal authority supporting this proposition. There are many elected officials throughout the Commonwealth whose offices are considered agencies, but this does not mean that associations to which they belong are also agencies.

As set forth in the Final Determination, the Requester may appeal to a court of competent jurisdiction if they disagree with the Final Determination.

Issued by:

/s/ Kyle Applegate

CHIEF COUNSEL

Sent to: John Weiser; Adams County Constable Association