

FINAL DETERMINATION

DATE ISSUED AND MAILED: April 19, 2024

IN RE: *Thomas Beale v. Pennsylvania Department of Corrections*; OOR Dkt. AP 2024-1017

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 appeal is insufficient. The Department partially granted access to the records sought in the Request. On appeal, the Requester does not address the “ grounds stated by the agency ... for denying the request”, why the records are public or explain why the information to which the Requester was granted access is being challenged. 65 P.S. § 67.1101(a)(1). Therefore, the appeal is insufficient and must be dismissed.

For this reason, the Department 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 All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Joshua Young

SENIOR DEPUTY CHIEF COUNSEL
JOSHUA YOUNG, ESQ.

Sent to: Requester (via first class mail);
Agency Open Records Officer, Pennsylvania Department of Corrections

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