

FINAL DETERMINATION

DATE ISSUED AND MAILED: May 14, 2024

IN RE: *Danae Mendez Metz v. Derry Township*, OOR Dkt. AP 2024-1245

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 Requester does not “state the grounds upon which the requester asserts that the record is a public record” or “address any grounds stated by the agency for ... denying the request.” 65 P.S. § 67.1101(a)(1). Therefore, the appeal is not sufficient under 65 P.S. § 67.1101(a)(1). The Requester is not prohibited from filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1). The OOR’s online appeal form can be accessed at <https://www.openrecords.pa.gov/Appeals/AppealForm.cfm>.

For this reason, the Township 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 Mifflin County Court of Common Pleas. 65 P.S. § 67.1302(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, Esq.

SENIOR DEPUTY CHIEF COUNSEL
JOSHUA YOUNG, ESQ.

Sent to: Requester; Agency Open Records Officer, Derry Township

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