

FINAL DETERMINATION

DATE ISSUED AND MAILED: May 23, 2024

IN RE: *Glue Wilkins v. Dauphin County*, OOR Dkt. AP 2024-1338

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 premature. The appeal states that the Request was sent via first class mail to the County on May 9, 2024. The County has five (5) business days upon receipt, or until May 21, 2024, to respond to the Request.¹ 65 P.S. § 67.901. The appeal was postmarked May 17, 2024. The Requester is not prohibited from filing a new appeal of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the County 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 Dauphin 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.² 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 T. Young

SENIOR DEPUTY CHIEF COUNSEL
JOSHUA T. YOUNG, ESQ.

Sent to: Requester (via first class mail), Agency Open Records Officer, Dauphin County

¹ The OOR allows for three additional mailing days for an agency to receive a request.

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).