

FINAL DETERMINATION

DATE ISSUED AND MAILED: May 23, 2024

IN RE: *Henry Jordan v. Williston Township*; OOR Dkt. AP 2024-1330

Upon review of the appeals 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 dismissed. The Requester only challenges the Township’s decision to invoke an extension of time to respond under Section 902 of the RTKL. *See* 65 P.S. § 67.902(b). However, a review of the record demonstrates that the extension was invoked for permitted reasons, and the OOR will not disturb the Township’s discretion in invoking an extension. 65 P.S. § 67.902(b)(1). Because there is no substantive issue(s) presented for the OOR to adjudicate in this matter, the appeal is dismissed.

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 Chester 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 T. Young

SENIOR DEPUTY CHIEF COUNSEL
JOSHUA T. YOUNG, ESQ.

Sent to: Requester; Open Records Officer, Williston Township

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