

FINAL DETERMINATION

DATE ISSUED AND MAILED: July 9, 2024

IN RE: *Jamie Brown v. Aliquippa City Police Department*, OOR Dkt. AP 2024-1733

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 untimely. The appeal form states that the Requests were deemed denied on April 18, 2024, April 22, 2024, and May 2, 2024, respectively.¹ 65 P.S. § 67.902(b)(2). Appeals of denied or deemed denied Right-to-Know requests must be filed within 15 business days of the deemed denial, or by May 9, 2024, May 13, 2024, and May 23, 2024 in this instance. 67.1101(a)(1). Appeal was postmarked June 28, 2024 and received by the OOR on July 3, 2024. The Requester is not prohibited from making a new request for these records and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

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 Beaver 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, Aliquippa City Police Department

¹ The OOR allows three additional mailing for the Department to receive the Requests.

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