



FINAL DETERMINATION

DATE ISSUED AND MAILED: April 24, 2026

IN RE: *Carnell Tinson v. Erie City Police Department*; OOR Dkt. AP 2026-1567

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 Request was denied by Erie City Police Department (“Department”) on March 9, 2026.¹ Appeals of denied Right-to-Know requests must be filed within 15 business days of the date of the denial, or by March 30, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was received by the OOR on April 9, 2026.² The Requester is not prohibited from refiling the Request 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 Erie 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.³ 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, QE5092 (via U.S. Mail);
Agency Open Records Officer, Erie City Police Dep’t (via e-file portal)

¹ The appeal file includes multiple agency requests and responses; however, the appeal form indicates the Erie City Police Department’s March 9, 2026 response is the response being appealed.

² The appeal was postmarked on April 9, 2026 and, pursuant to the prisoner’s mailbox rule, is considered to have been filed on that date.

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