



FINAL DETERMINATION

DATE ISSUED AND MAILED: April 23, 2026

IN RE: *Ralph McClain v. City of Philadelphia Department of Prisons*; OOR Dkt. AP 2026-1566

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 mailed to the City of Philadelphia Department of Prisons (“Department”) on or around March 13, 2026. As indicated on the appeal form, the Department did not respond within five business days, and the Request was, therefore, deemed denied on or about March 24, 2026.¹ Appeals of deemed denied Right-to-Know requests must be filed within 15 business days of the date of the deemed denial, or by April 14, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was received by the OOR on April 16, 2026.² The Requester is not prohibited from refileing 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 Philadelphia 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, 814451 (via U.S. Mail);
Agency Open Records Officer, City of Philadelphia Dep’t of Prisons (via E-File Portal)

¹ The OOR included three mailing days in calculating the date the Department’s response due date.

² The appeal was postmarked on April 16, 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).