



pennsylvania

OFFICE OF OPEN RECORDS

FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
TYLER THERRIAULT AND DONAGHUE	:	
& LABRUM, LLP,	:	
Requester	:	
	:	
v.	:	Docket No: AP 2026-1160
	:	
DELAWARE COUNTY,	:	
Respondent	:	

The Office of Open Records (“OOR”) received the above-captioned appeal under the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* For the following reasons, the appeal is **dismissed.**

On February 11, 2026,¹ Tyler Therriault, Esq. and Donaghue & Labrum, LLP (“Requester”) submitted a request (“Request”) to Delaware County (“County”) pursuant to the RTKL, 65 P.S. §§ 67.101 *et seq.*, seeking “[a]ny and all invitations to bid, sign-in sheets, bid packages, bid modification notifications, correspondence, approval letters, denial letters, internal job estimates, all emails (including all emails to all registered bidders), and all inter-office memorandum regarding the all submissions and all awards and denials associated with the attached projects that were approved on the 2025 CIP # 2025-05 bid list.”

¹ While the Request is dated February 10, 2026, it was received by the County on February 11, 2026.

On February 18, 2026, the County invoked a thirty-day extension to respond; however, as the County did not respond within the extension period, the Request was deemed denied on March 23, 2026. *See* 65 P.S. § 67.902(b)(2). On March 24, 2026, the County issued an untimely final response, denying the Request as insufficiently specific. 65 P.S. § 67.703. That same day, the Requester appealed to the Office of Open Records (“OOR”), challenging the denial and stating grounds for disclosure.² The OOR invited both parties to supplement the record and directed the County to notify the OOR if any third parties have a direct interest in the appeal. *See* 65 P.S. § 67.1101(c).

On March 31, 2026, the Requester submitted a position statement.

On April 2, 2026, the OOR granted the County’s request to extend the submission period to April 20, 2026. On April 20, 2026, the OOR granted the County’s request to extend the submission period to April 27, 2026.

On April 27, 2026, the County notified the OOR that it provided the Requester with responsive records. That same day, noting that the County provided responsive records to the Requester, the OOR asked the Requester whether his Request has been satisfied and whether he will be seeking to withdraw the instant appeal or, in the alternative, to identify the remaining issues to be decided on appeal. To date, the Requester has not responded to this correspondence.³ Therefore, because there is no longer any case or controversy for the OOR to adjudicate, and the County has provided records responsive to the Request, the appeal is **dismissed as moot**. *See Chester Water Auth. v. Pa. Dep’t of Cmty. & Econ. Dev.*, 249 A.3d 1106, 1114 (Pa. 2021) (finding that a matter was settled by provision of records and, thus, “the controversy has been mooted”).

² The Requester granted the OOR a 30-day extension to issue a final determination. *See* 65 P.S. § 67.1101(b)(1) (“Unless the requester agrees otherwise, the appeals officer shall make a final determination which shall be mailed to the requester and the agency within 30 days of receipt of the appeal filed under subsection (a).”).

³ The OOR notes that the Requester accessed the appeal portal on April 27, 2026.

The file is now closed and no further action will be taken. This Final Determination is binding on the parties. Within thirty days of the mailing date of this Final Determination, either party may appeal to the Delaware 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 Section 1303 of the RTKL. 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.⁴ 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 OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: May 8, 2026

/s/ Lyle Hartranft

APPEALS OFFICER
LYLE HARTRANFT, ESQ.

Sent via e-file portal to: Tyler Therriault, Esq.; Meghan Byrnes, Esq.; Robert Scott, Esq.

⁴ See *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).