



FINAL DETERMINATION

DATE ISSUED AND MAILED: May 13, 2026

IN RE: *Thomas Preschutti v. Pennsylvania State Police*, OOR Dkt. AP 2026-1870

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 premature. The Request was emailed to the Pennsylvania State Police (“PSP”) on May 6, 2026. The PSP has five (5) business days upon receipt of the Request to respond. 65 P.S. § 67.901. As a result, the PSP has until 11:59:59 p.m. on May 13, 2026, to respond to the Request. The appeal was submitted to the OOR on May 12, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the PSP 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 Commonwealth Court. 65 P.S. § 67.1301(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 via E-File Portal to: Requester; Agency Open Records Officer, Pennsylvania State Police

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