



FINAL DETERMINATION

DATE ISSUED AND MAILED: May 15, 2026

IN RE: *Joelle Whiteman v. Elizabeth Township*, OOR Dkt. AP 2026-1902

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 submitted to Elizabeth Township (“Township”) on May 5, 2026. The Township timely invoked a thirty-day extension of time to respond on May 12, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the Township had five (5) business days, followed by thirty (30) calendar days, from May 5, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the Township has until June 11, 2026 to respond to the Request. The appeal was submitted to the OOR on May 13, 2026; thus, the Requester did not allow sufficient time before filing the appeal.¹ 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 Township 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 Allegheny 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 via E-File Portal to: Requester; Agency Open Records Officer, Elizabeth Township

¹ The extension was invoked for permitted reasons, 65 P.S. § 67.902(a)(4), and the OOR will not disturb the Township’s discretion in invoking the extension. 65 P.S. § 67.902(b)(1).

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