



# pennsylvania

OFFICE OF OPEN RECORDS

## FINAL DETERMINATION

<b>IN THE MATTER OF</b>	:
	:
<b>JENNIFER VERMEIRE,</b>	:
<b>Requester</b>	:
	:
<b>v.</b>	: <b>Docket No: AP 2026-1249</b>
	: <b>Consolidated appeals of OOR Dkts. Nos.</b>
<b>EAST LYCOMING SCHOOL DISTRICT,</b>	: <b>AP 2026-1249, AP 2026-1250, AP 2026-</b>
<b>Respondent</b>	: <b>1251, AP 2026-1252, AP 2026-1253, AP</b>
	: <b>2026-1254, AP 2026-1255, AP 2026-1256,</b>
	: <b>AP 2026-1257, and AP 2026-1258</b>
	:

### FACTUAL BACKGROUND

On February 9, 2026, Jennifer Vermeire (“Requester”) submitted fifty-six (56) requests<sup>1</sup> (collectively, the “Requests”) to East Lycoming School District (“District”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking:

#### **AP 2026-1249 (Thirteen Requests):**

1. All emails sent by School Director Craig Dudek from 12/05/2023 through 04/16/2024.
2. All emails sent by School Director Craig Dudek from 04/17/2024 through 07/09/2024.
3. All emails sent by School Director Craig Dudek from 07/10/2024 through 10/15/2024.

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<sup>1</sup> The Requester originally filed 78 requests on February 9, 2026; however, 56 Requests have been appealed and are before the undersigned Appeals Officer.

4. All emails sent by School Director Craig Dudek from 10/16/2024 through 01/28/2024.
5. All emails sent by School Director Craig Dudek from 01/29/2025 through 03/25/2025.
6. All emails sent by School Director Craig Dudek from 03/26/2025 through 06/17/2025.
7. All emails sent by School Director Craig Dudek from 06/18/2025 through 09/23/2025.
8. All emails sent by School Director Craig Dudek from 09/24/2025 through 10/28/2025.
9. All emails sent by School Director Craig Dudek from 10/29/2025 through 11/18/2025.
10. All emails sent by School Director Craig Dudek from 11/19/2025 through 12/9/2025.
11. All emails sent by School Director Craig Dudek from 12/10/2025 through 01/13/2026.
12. All emails sent by School Director Craig Dudek from 01/14/2026 through 01/20/2026.
13. All emails sent by School Director Craig Dudek from 01/21/2026 through 02/09/2026.

**AP 2026-1250 (Three Requests):**

1. All emails sent by School Director Brian Shearer from 12/09/2025 through 01/13/2026.
2. All emails sent by School Director Brian Shearer from 01/14/2026 through 01/20/2026.
3. All emails sent by School Director Brian Shearer from 01/21/2026 through 02/09/2026.

**AP 2026-1251 (Three Requests):**

1. All emails sent by School Director Chris Downey from 12/09/2025 through 01/13/2026.
2. All emails sent by School Director Chris Downey from 01/14/2026 through 01/20/2026.
3. All emails sent by School Director Chris Downey from 01/21/2026 through 02/09/2026.

**AP 2026-1252 (Thirteen Requests):**

1. All emails sent by School Director Floyd Swales from 12/05/2023 through 04/16/2024.
2. All emails sent by School Director Floyd Swales from 04/17/2024 through 07/09/2024.
3. All emails sent by School Director Floyd Swales from 07/10/2024 through 10/15/2024.
4. All emails sent by School Director Floyd Swales from 10/16/2024 through 01/28/2024.
5. All emails sent by School Director Floyd Swales from 01/29/2025 through 03/25/2025.
6. All emails sent by School Director Floyd Swales from 03/26/2025 through 06/17/2025.
7. All emails sent by School Director Floyd Swales from 06/18/2025 through 09/23/2025.
8. All emails sent by School Director Floyd Swales from 09/24/2025 through 10/28/2025.
9. All emails sent by School Director Floyd Swales from 10/29/2025 through 11/18/2025.
10. All emails sent by School Director Floyd Swales from 11/19/2025 through 12/9/2025.
11. All emails sent by School Director Floyd Swales from 12/10/2025 through 01/13/2026.

12. All emails sent by School Director Floyd Swales from 01/14/2026 through 01/20/2026.

13. All emails sent by School Director Floyd Swales from 01/21/2026 through 02/09/2026.

**AP 2026-1253 (Three Requests):**

1. All emails sent by School Director Nichole Hopkins from 12/09/2025 through 01/13/2026.

2. All emails sent by School Director Nichole Hopkins from 01/14/2026 through 01/20/2026.

3. All emails sent by School Director Nichole Hopkins from 01/21/2026 through 02/09/2026.

**AP 2026-1254 (Three Requests):**

1. All emails sent by School Director Randy Holmes from 12/09/2025 through 01/13/2026.

2. All emails sent by School Director Randy Holmes from 01/14/2026 through 01/20/2026.

3. All emails sent by School Director Randy Holmes from 01/21/2026 through 02/09/2026.

**AP 2026-1255 (Thirteen Requests):**

1. All emails sent by School Director Scott Ritter from 12/05/2023 through 04/16/2024.

2. All emails sent by School Director Scott Ritter from 04/17/2024 through 07/09/2024.

3. All emails sent by School Director Scott Ritter from 07/10/2024 through 10/15/2024.

4. All emails sent by School Director Scott Ritter from 10/16/2024 through 01/28/2024.

5. All emails sent by School Director Scott Ritter from 01/29/2025 through 03/25/2025.

6. All emails sent by School Director Scott Ritter from 03/26/2025 through 06/17/2025.
7. All emails sent by School Director Scott Ritter from 06/18/2025 through 09/23/2025.
8. All emails sent by School Director Scott Ritter from 09/24/2025 through 10/28/2025.
9. All emails sent by School Director Scott Ritter from 10/29/2025 through 11/18/2025.
10. All emails sent by School Director Scott Ritter from 11/19/2025 through 12/9/2025.
11. All emails sent by School Director Scott Ritter from 12/10/2025 through 01/13/2026.
12. All emails sent by School Director Scott Ritter from 01/14/2026 through 01/20/2026.
13. All emails sent by School Director Scott Ritter from 01/21/2026 through 02/09/2026.

**AP 2026-1256 (Three Requests):**

1. All emails sent by School Director Victoria Harrington from 12/09/2025 through 01/13/2026.
2. All emails sent by School Director Victoria Harrington from 01/14/2026 through 01/20/2026.
3. All emails sent by School Director Victoria Harrington from 01/21/2026 through 02/09/2026.

**AP 2026-1257 (One Request):**

1. All [District] school board related communication sent by School Director Craig Dudek from any personal email accounts from 08/01/2025 through 02/09/2026.

**AP 2026-1258 (One Request):**

1. All [District] school board related communication sent by School Director Randy Holmes from any personal email accounts from 12/09/2025 through 02/09/2026.

On February 13, 2026, the District invoked a thirty-day extension to respond. 65 P.S. § 67.902(b). On March 13, 2026, the District requested an extension until March 16, 2026, to allow the District to respond to the Requests, which the Requester agreed to. 65 P.S. § 67.902(b)(3).

On March 16, 2026, the District denied the Requests, asserting that the Requests were either insufficiently specific, or responsive records relate to internal, predecisional deliberations. 65 P.S. § 67.703; 65 P.S. § 67.708(b)(10).

On March 30, 2026, the Requester filed 10 appeals to the Office of Open Records (“OOR”), challenging the District’s denials and stating grounds for disclosure.<sup>2</sup> The OOR invited both parties to supplement the record and directed the District to notify the OOR if any third parties have a direct interest in the appeal.<sup>3</sup> 65 P.S. § 67.1101(c).

On April 22, 2026, the District submitted a position statement reiterating its grounds for denial. Specifically, the District argues that the Requests at issue in AP 2026-1249 through AP 2026-1256 are insufficiently specific. Concerning the Requests at issue in AP 2026-1257 and AP 2026-1258, the District asserts that each specified school board member located one potentially responsive email record; however, these records are exempt from access because they reflect internal, predecisional deliberations. In support of its position, the District submitted the attestations of Kyle Erdley (“Erdley Attestation”), Technology Assistant for the District; Craig

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<sup>2</sup> 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).”).

<sup>3</sup> On April 6, 2026, the OOR consolidated the appeals into OOR Docket Number AP 2026-1249.

Dudek (“Dudek Attestation”), District School Board President; and Randy Holmes (“Holmes Attestation”), member of the District School Board.

On May 27, 2026, the OOR sought additional clarification and evidence from the District concerning the emails withheld as reflecting internal, predecisional deliberations. On June 1, 2026, the District submitted correspondence, first clarifying that it inadvertently failed to upload its response to the OOR by the requested deadline. The District further submitted the attestation of Stephen Hartley, Esq. (“Hartley Attestation”), who serves as Solicitor for the District, affirming that the subject email sent by Mr. Dudek was sent to each member of the School Board.<sup>4</sup>

### LEGAL ANALYSIS

The District is a local agency subject to the RTKL. 65 P.S. § 67.302. Records in the possession of a local agency are presumed to be public, unless exempt under the RTKL or other law or protected by a privilege, judicial order or decree. *See* 65 P.S. § 67.305. As an agency subject to the RTKL, the District is required to demonstrate, “by a preponderance of the evidence,” that records are exempt from public access. 65 P.S. § 67.708(a)(1). Preponderance of the evidence has been defined as “such proof as leads the fact-finder...to find that the existence of a contested fact is more probable than its nonexistence.” *Pa. State Troopers Ass’n v. Scolforo*, 18 A.3d 435, 439 (Pa. Commw. Ct. 2011) (quoting *Pa. Dep’t of Transp. v. Agric. Lands Condemnation Approval Bd.*, 5 A.3d 821, 827 (Pa. Commw. Ct. 2010)).

#### **1. The Requests at issue in AP 2026-1249 through AP 2026-1256 are insufficiently specific**

The District argues that the Requests in AP 2026-1249 through AP 2026-1256 are overly broad, and, therefore, insufficiently specific under Section 703 of the RTKL, which states that “[a]

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<sup>4</sup> The aforementioned Attestations are made subject to penalties under 18 Pa. C.S. § 4904, relating to unsworn falsifications to authorities.

written request should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested.” 65 P.S. § 67.703. When determining whether a particular request is sufficiently specific, the OOR uses the three-part balancing test employed by the Commonwealth Court in *Pa. Dep’t of Educ. v. Pittsburgh Post-Gazette*, 119 A.3d 1121 (Pa. Commw. Ct. 2015).

First, “[t]he subject matter of the request must identify the ‘transaction or activity’ of the agency for which the record is sought.” *Id.* at 1125 (quoting 65 P.S. § 67.102). Second, “[t]he scope of the request must identify ‘a discrete group of documents, either by type ... or by recipient.’” *Id.* (quoting *Carey v. Pa. Dep’t of Corr.*, 61 A.3d 367, 372 (Pa. Commw. Ct. 2013)). Finally, “[t]he timeframe of the request should identify a finite period of time for which records are sought.” *Id.* at 1126 (citing *Carey, supra*). “The timeframe prong is, however, the most fluid of the three prongs, and whether or not the request’s timeframe is narrow enough is generally dependent upon the specificity of the request’s subject matter and scope.” *Id.*

The above factors are intended “to facilitate an analysis in order to determine whether an agency can ascertain which records are being requested.... The subject matter, scope, and timeframe of a request are flexible, analytical elements, not evidentiary requirements.” *Pa. Dep’t of Health v. Shepherd*, No. 377 C.D. 2021, 2022 Pa. Commw. Unpub. LEXIS 207 \*6-7 (Pa. Commw. Ct. 2022), *appeal denied*, No. 334 MAL 2022, 2022 Pa. LEXIS 1862 (Pa. 2022). Finally, we must analyze the entirety of a request, as it is possible that portions of a request are insufficiently specific, while other portions provide sufficient guidance. *See Pa. State Police v. Office of Open Records*, 995 A.2d 515, 517 (Pa. Commw. Ct. 2010) (noting “the valid part of the request was included in a laundry list of requested materials”).

The Requests, collectively, seek all emails sent by specific District School Board members over various timeframes. The collective timeframes vary, either approximately as short as 2 months, or as long as nearly 3 years. Notably, failure to identify a finite timeframe will not automatically render a sufficiently specific request as overbroad; likewise, a short timeframe will not transform an overly broad request into a specific one. *Pa. Dep't of Educ.*, 119 A.3d at 1126. The scope is generally broad, as it seeks “all emails,” but identifies a discrete type of record, which are emails. Finally, the Requests do not identify any subject matter at all.

Although the District maintains that the Requests are insufficiently specific, the District provides the Erdley Attestation, which details the District’s good faith search for responsive emails, affirming the technical ability to search and access emails sent or received by District email accounts. Erdley Attestation ¶ 2. Mr. Erdley affirms that the District was able to locate over 2,000 emails. Erdley Attestation ¶ 8. However, the District argues that without any sort of subject matter with which the District can narrow the scope of the search to identify any particular transaction or activity of the District, the Requests are essentially a fishing expedition, forcing the District to search through the sent emails of eight School Board members with no way of narrowing the search, and requiring the District to sort through thousands of emails for potential exemptions, confidentiality, and/or FERPA material which would place an undue burden on the time and resources of the District, further rendering these Requests as insufficiently specific. *See, e.g., Montgomery Cnty. v. Iverson*, 50 A.3d 281, 283 (Pa. Commw. Ct. 2012) (“An open-ended request that gives an agency little guidance regarding what to look for may be so burdensome that it will be considered overly broad.”).

The fact that a request may be burdensome does not, in and of itself, deem the request overbroad. *See Pa. Dep't of Envtl. Prot. v. Legere*, 50 A.3d 260, 265 (Pa. Commw. Ct. 2012); *see*

also *Ruggiero v. Lackawanna Cnty.*, OOR Dkt. AP 2014-0043, 2014 PA O.O.R.D. LEXIS 157 (“[A] request involving the detailed review of voluminous documents does not relieve the agency of its requirements to presume the records are open and available and respond in accordance with the RTKL”). In certain situations, the ability to identify responsive records demonstrates that a request is sufficiently specific. See *Easton Area Sch. Dist. v. Baxter*, 35 A.3d 1259, 1265 (Pa. Commw. Ct. 2012) (noting that “the request was obviously sufficiently specific because the School District has already identified potential records included within the request”). However, the mere “identification of potentially responsive records ... is not sufficient to satisfy Section 703 of the RTKL on its own.” See *Pa. Dep’t of Educ.*, 119 A.3d at 1126 n.8.

A request for records under the RTKL may not amount to a ‘fishing expedition’ by a requester. See, e.g., *Pa. Dep’t of Educ.*, 119 A.3d at 1126; *Commonwealth v. Engelkemier*, 148 A.3d 522 (Pa. Commw. Ct. 2016); *Pa. Office of Inspector Gen. v. Brown*, 152 A.3d 369 (Pa. Commw. Ct. 2016) (request for ‘rules, regulations, policies or related authority that governs [OIG’s] duties and functions’ was a ‘fishing expedition’). Here, while it may be possible for the District to conduct a search, the Requests are fishing expeditions because they would require the District to pull thousands of emails of the specified District School Board members, with no limiting subject matter, scope, or timeframes that extend as close to nearly three years, as the goal would be to obtain *all* emails sent by District School Board members.

Accordingly, based on these facts, the Requests are insufficiently specific. *Pa. Dep’t of Educ.*, *supra* (the request that sought all emails of the Acting Secretary of Education over a one-year period, “without limiting the subject matter of the [r]equest in any meaningful way...is, therefore, insufficiently specific under Section 703 of the RTKL”); see also *Cooper v. Lycoming Cty.*, OOR Dkt. AP 2022-0771, 2022 PA O.O.R.D. LEXIS 1119 (holding that a request “[w]ithout

a subject matter, keywords that are related to well-known matters of [the agency's] business, or a narrow scope to help limit the vast universe of potentially responsive records" to be insufficiently specific, even if the timeframe was limited to only six months). Nothing in this Final Determination prevents the Requester from filing more specific RTKL requests for the same information, and if necessary, filing an appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

**2. The District has not demonstrated that certain records are exempt under Section 708(b)(10) of the RTKL**

The District asserts that it properly withheld 2 email records in the possession of Mr. Dudek and Mr. Holmes responsive to the Requests at issue in AP 2026-1257 and AP 2026-1258 because they reflect its internal, predecisional deliberations. Section 708(b)(10)(i)(A) exempts from public disclosure a record that reflects:

[t]he internal, predecisional deliberations of an agency, its members, employees or officials or predecisional deliberations between agency members, employees or officials and members, employees or officials of another agency, including predecisional deliberations relating to a budget recommendation, ... or course of action or any research, memos or other documents used in the predecisional deliberations.

65 P.S. § 67.708(b)(10)(i)(A). To withhold a record under Section 708(b)(10)(i)(A), an agency must show: 1) the deliberations reflected are internal to the agency, including representatives; 2) the deliberations reflected are predecisional, *i.e.*, before a decision on an action; and 3) the contents are deliberative in character, *i.e.*, pertaining to a proposed action. *See Kaplin v. Lower Merion Twp.*, 19 A.3d 1209, 1214 (Pa. Commw. Ct. 2011). For purposes of this exemption, records that are exchanged with another agency are considered "internal" to the agency. *See Off. of the Governor v. Davis*, 122 A.3d 1185 (Pa. Commw. Ct. 2015); *see also West Chester Univ. of Pa. v. Schackner*, 124 A.3d 382, 398 (Pa. Commw. Ct. 2015) ("Records satisfy the 'internal' element

when they are maintained internal to one agency or among governmental agencies”). However, communications with outside consultants and independent contractors are not “internal,” and are therefore, not subject to the exemption. *See Chester Water Auth. v. Pa. Dep’t of Community and Econ. Dev.*, 249 A.3d 1106, 1112-13 (Pa. 2021).

To be deliberative in nature, a record must make recommendations or express opinions on legal or policy matters and cannot be purely factual in nature. *Kaplin*, 19 A.3d at 1214. The term “deliberation” is generally defined as “[t]he act of carefully considering issues and options before making a decision or taking some action....” BLACK’S LAW DICTIONARY 492 (9th ed. 2009); *see also Heintzelman v. Pa. Dep’t of Cmty. & Econ. Dev.*, OOR Dkt. AP 2014-0061, 2014 PA O.O.R.D. LEXIS 254, *aff’d* No. 512 C.D. 2014, 2014 Pa. Commw. Unpub. LEXIS 644 (Pa. Commw. Ct. 2014). In addition, to be exempt from disclosure, an agency must explain how the information withheld reflects or shows the deliberative process in which an agency engages during its decision-making. *See Twp. of Worcester v. Off. of Open Records*, 129 A.3d 44, 61 (Pa. Commw. Ct. 2016). Factual material contained in otherwise deliberative documents is required to be disclosed if it is severable from its context. *McGowan v. Pa. Dep’t of Env’tl. Prot.*, 103 A.3d 374, 382-83 (Pa. Commw. Ct. 2014).

However, Section 708(b)(10)(ii) of the RTKL provides that:

Subparagraph (i)(A) shall apply to agencies subject to [the Sunshine Act] in a manner consistent with [the Sunshine Act]. A record that is not otherwise exempt from access under [the RTKL] and which is presented to a quorum for deliberation in accordance with [the Sunshine Act] shall be a public record.

65 P.S. § 67.708(b)(10)(ii). The Sunshine Act defines “deliberation” as “[t]he discussion of agency business held for the purpose of making a decision.” *See* 65 Pa. C.S. § 703.

In support of the District's position, the Dudek Attestation first states, in part:

3. I understand the Request for "all [District] school board related communication sent by Craig Dudek from any personal email accounts from 08/01/2025 through 02/09/2026" is at issue in this [a]ppeal.
4. Upon receipt of the Request[], I searched my personal email account for sent emails during that timeframe which were potentially responsive.
5. My search revealed one potentially responsive email.
6. The subject of this email was related to a future decision of the School Board.
7. The email did not contain purely factual information, but instead contained my opinion and suggested strategy for achieving a certain goal for the District.
8. This email was internal to the District, as it was not sent to or shared with anyone outside the District.

Additionally, the Holmes Attestation states, in part:

3. I understand the Request for "all [District] school board communication sent by Randy Holmes from any personal email accounts from 12/09/2025 through 02/09/2026" is at issue in this [a]ppeal.
4. Upon receipt of the Request[], I searched my personal email account for sent emails during that timeframe which were potentially responsive.
5. My search revealed one potentially responsive email.
6. The potentially responsive email was a response to an email I received from Craig Dudek.
7. The subject of Mr. Dudek's email was related to a future decision of the School Board.
8. Mr. Dudek's email did not contain purely factual information, but instead contained his opinion and suggested strategy for achieving a certain goal for the District.
9. The potentially responsive email in response to Mr. Dudek's email also contained my thoughts and opinion regarding the same subject matter.
10. This email was internal to the District, as it was not sent to or shared with anyone outside the District.

Under the RTKL, an affidavit or statement made under penalty of perjury may serve as sufficient evidentiary support. *See Sherry v. Radnor Twp. Sch. Dist.*, 20 A.3d 515, 520-21 (Pa. Commw. Ct. 2011); *Moore v. Off. of Open Records*, 992 A.2d 907, 909 (Pa. Commw. Ct. 2010). In the absence of any evidence that the District has acted in bad faith, “the averments in the [attestations] should be accepted as true.” *McGowan v. Pa. Dep’t of Env’tl. Prot.*, 103 A.3d 374, 382-83 (Pa. Commw. Ct. 2014) (citing *Off. of the Governor v. Scolforo*, 65 A.3d 1095, 1103 (Pa. Commw. Ct. 2013)).

However, the Hartley Attestation notably affirms that Mr. Dudek’s email was sent to *each member of the School Board*. Hartley Attestation ¶ 7. (Emphasis added). The OOR has previously determined that the exception to the exemption at Section 708(b)(10) becomes operative when a record, intended for deliberation, is received and considered by a quorum. The OOR has found that any record presented to a quorum for the purpose of making a decision is subject to production. *See Esposito v. Pennridge Sch. Dist.*, OOR Dkt. AP 2019-1521, 2019 PA O.O.R.D. LEXIS 1532 (finding that an email to entire school board from superintendent asking if more interviews should be conducted qualifies for Section 708(b)(10)(ii) exception); *Longo v. Phoenixville Area Sch. Dist.*, OOR Dkt. AP 2020-0504, 2020 PA O.O.R.D. LEXIS 1361 (the fact that deliberative emails were not presented at a public meeting was immaterial, and the agency bore the burden of showing that Section 708(b)(10)(ii) does not apply). For a record of an agency otherwise exempt as an internal, predecisional deliberation to be subject to public disclosure, two requirements must be met: 1) it must be presented to a quorum; and 2) it must be presented for deliberation. *See Edwards v. Pequea Twp.*, OOR Dkt. AP 2024-1060, 2024 PA O.O.R.D. LEXIS 1534.

Here, based on the evidence provided by District, the OOR must conclude that the subject emails were provided to a quorum in furtherance of deliberation, as the Dudek Attestation and

Holmes Attestation have already affirmed that the emails document deliberations regarding a future decision of the School Board, and how to accomplish the District's goal, with all members of the School Board confirmed to present on these communications by Mr. Hartley. Accordingly, absent any additional evidence or argument, the withheld emails are not exempt under Section 708(b)(10) of the RTKL, and must therefore be provided to the Requester.

### CONCLUSION

For the foregoing reasons, the appeal is **granted in part** and **denied in part**, and the District is required to provide the emails withheld as responsive in AP 2026-1257 and AP 2026-1258 within thirty days. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal to the Lycoming 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 as per Section 1303 of the RTKL. 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.<sup>5</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

**FINAL DETERMINATION ISSUED AND MAILED: June 1, 2026**

*/s/ Tope L. Quadri*

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TOPE L. QUADRI  
APPEALS OFFICER

Sent via portal to: Jennifer Vermeire  
Heather Burke, AORO  
Stephen C. Hartley, Esq.

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