



## FINAL DETERMINATION

DATE ISSUED AND MAILED: June 4, 2026

IN RE: *Shawn Devlin v. Columbia-Montour Area Vocational Technical School*,  
OOR Dkt. AP 2026-2164

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 received by the Columbia-Montour Area Vocational Technical School (“CMAVTS”) on May 28, 2026. On May 29, 2026, CMAVTS responded to the Request invoking an extension of time to respond.<sup>1</sup> 65 P.S. § 67.902(b)(1). As a result, CMAVTS has five (5) business days, followed by thirty (30) calendar days, to issue a final response to the Request, or until the end of the day (11:59:59 p.m.) on July 6, 2026. The appeal was submitted to the OOR on June 2, 2026. 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, CMAVTS 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 Columbia 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.<sup>2</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 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, CMAVTS

<sup>1</sup> CMAVTS’s May 29, 2026, letter also denied the Requester documents responsive to Items 1-3 of the Request and explained that a response to Item 4 would be provided within the extension period. The letter also advised the Requester he had fifteen (15) days to appeal the partial denial. However, to avoid piecemeal resolution of the dispute, the extension applies to the entirety of the Request.

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