



FINAL DETERMINATION

DATE ISSUED AND MAILED: June 4, 2026

IN RE: *Liz Thompson v. Hellertown Borough*, OOR Dkt. AP 2026-2172

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 Hellertown Borough (“Borough”) on May 1, 2026. The Borough timely invoked a thirty-day extension of time to respond on May 1, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the Borough had five (5) business days, followed by thirty (30) calendar days, from May 1, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the Borough has until 11:59:59 p.m. on June 8, 2026 to respond to the Request.¹ The appeal was submitted to the OOR on June 3, 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 Borough 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 Northampton 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, Hellertown Borough

¹ The Borough’s May 1, 2026 extension letter indicated the Borough would provide a final response by May 30, 2026, however, the Borough is entitled to 5 business days followed by 30 calendar days or June 8, 2026, in this instance. 65 P.S. § 67.902(b)(1)-(2).

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