



## FINAL DETERMINATION

DATE ISSUED AND MAILED: June 5, 2026

IN RE: *Diana Davis v. Mount Joy Borough Police Department*; OOR Dkt. AP 2026-2159

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 untimely.** The Request was denied by Mount Joy Borough Police Department (“Department”) on April 29, 2026. Appeals of denied Right-to-Know requests must be filed within 15 business days of the date of the denial, or by May 20, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was received by the OOR on June 2, 2026.<sup>1</sup> The Requester is not prohibited from refileing the Request and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the Department 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 Lancaster 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*

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Senior Deputy Chief Counsel  
Joshua T. Young, Esq.

Sent via E-File Portal to: Requester; Agency Open Records Officer, Mount Joy Borough Police Department

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<sup>1</sup> Notably, the OOR does not have jurisdiction over criminal investigative records in the possession of local law enforcement agencies. *See* 65 P.S. § 67.503(d). Additionally, insofar as the appeal seeks body camera and other similar footage of Department police officers, the RTKL does not apply to audio and video recordings made by a law enforcement agency; rather, there is a separate procedure governing access to these records. *See* 42 Pa.C.S. §§ 67A03-67A05.

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