



FINAL DETERMINATION

DATE ISSUED AND MAILED: June 12, 2026

IN RE: *Jack Williams v. Johnstown City*, OOR Dkt. AP 2026-2199

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as Johnstown City’s (“City”) submissions, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The appeal states that the Request was filed on May 26, 2026 and deemed denied on June 2, 2026; however, the City never received a copy of the Request. *See* Hutzler Attestation, ¶¶ 3-8. Because an appeal may only be filed from the denial or deemed denial of a request, and the City **did not receive the Request prior to receiving the appeal**, the appeal must be dismissed as premature. 65 P.S. § 67.901. The Requester is not prohibited from filing the Request with the City and, if necessary, filing an appeal of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a).

For this reason, the City is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Cambria 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, but 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.¹ 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/ Lyle Hartranft

APPEALS OFFICER

Lyle Hartranft, Esq.

Sent via E-File Portal to: Jack Williams; Josie Hutzler, AORO

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).