



FINAL DETERMINATION

DATE ISSUED AND MAILED: June 22, 2026

IN RE: *Beth Hurley v. Kidder Township*, OOR Dkt. AP 2026-2054

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**:

On May 27, 2026, the OOR issued an Order notifying Beth Hurley (“Requester”) that the appeal was deficient because it failed to include a complete copy of the Township’s response. The OOR informed the Requester that the document was required to cure the deficiency and directed the Requester to file a complete copy of the Township’s response by June 10, 2026, pursuant to 65 P.S. § 67.1303(b). However, to date, the Requester has failed to comply with the OOR’s Order and, without this document, the OOR lacks sufficient clarity to allow the OOR to adjudicate the matter.¹ Additionally, the OOR would be unable to present a complete record on appeal to an appellate court as required by Section 1303(b) of the RTKL. As the Requester has failed to comply with the OOR’s Order, this matter is **dismissed**.

For this reason, the Township 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 Carbon 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. 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>.²

Issued by:

/s/ Joshua T. Young

JOSHUA T. YOUNG
SENIOR DEPUTY CHIEF COUNSEL

Sent via OOR e-File Portal to: Beth Hurley; Chrissy Lindsey, AORO

¹ Although summarized in a statement attached to the appeal form, the appeal documents did not include a copy of the Request, in addition to the Township’s final response. Without the documents, particularly the Township’s response, the OOR is unable to confirm what records were requested or if the appeal statements accurately summarizes the Request and the Township’s response.

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