



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 3, 2026

IN RE: *Nazire Malave Ortiz v. Northern York County Regional Police Department*, OOR Dkt. AP 2026-3082

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 Northern York County Regional Police Department (“Police Department”) on July 7, 2026. Appeals of denied Right-to-Know requests must be filed within 15 business days of the date of the denial, or by July 28, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was submitted to the OOR on July 29, 2026.¹ The Requester is not prohibited from refiling 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 Police Department 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 York 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.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

Joshua T. Young, Esq.
Senior Deputy Chief Counsel

Sent to: Requester (Via USPS)
Agency Open Records Officer, Northern York County Regional Police Department
(via E-File Portal)

¹ Additionally, the OOR does not have jurisdiction to hear appeals related to criminal investigative records held by local law enforcement agencies. *See* 65 P.S. § 67.503(d)(2). Instead, appeals involving records alleged to be criminal investigative records held by a local law enforcement agency are to be heard by an appeals officer designated by the local district attorney. Notably, the Police Department’s final response directed the Requester to file his appeal with the York County District Attorney’s Office, not the OOR.

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