

FINAL DETERMINATION

DATE ISSUED AND MAILED: August 21, 2026

IN RE: *Darwin Leuba v. Pennsylvania State Police*, OOR Dkt. AP 2026-3111

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the submission of Pennsylvania State Police (“PSP”), it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was received by the PSP on July 20, 2026. On July 27, 2026, the PSP invoked a thirty-day extension to respond to the Request.¹ See 65 P.S. § 67.902(b). Under the extension, the PSP has until August 26, 2026 to issue a final response to the Request. 65 P.S. §§ 67.902(b)(1)-(2). Because the appeal was submitted to the OOR on July 30, 2026, it must be dismissed as premature. 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 PSP 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 Commonwealth Court. 65 P.S. § 67.1301(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 OOR website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Tope L. Quadri*

TOPE L. QUADRI
APPEALS OFFICER

Sent via portal to: Darwin Leuba
William Rozier, AORO
Colin Hitt, Esq.

¹ The PSP noted that it will respond to the Request by August 26, 2026.

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