

FINAL DETERMINATION

DATE ISSUED AND MAILED: August 21, 2026

IN RE: *Daniel Guckin v. Coolbaugh Township*, OOR Dkt. AP 2026-3181

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

The appeal is premature. The information provided by the Township during the appeal shows that the Township’s Open Records Officer received the Request on August 13, 2026; however, the appeal was filed on August 5, 2026. *See* Township Submission; 65 P.S. § 67.901; *see also* *Commonwealth v. Donahue*, 98 A.3d 1223 (Pa. 2014); *Curry v. Charleroi Borough Auth.*, OOR Dkt. AP 2024-3036, 2024 PA O.O.R.D. LEXIS 2920 (finding that the appeal was premature when the Open Records Officer did not receive the appeal due to being out of the office for a scheduled vacation). The Requester is not precluded from filing an appeal from the Township’s August 13, 2026 response pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

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 Monroe 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.¹ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov.

Issued by:

/s/ Erika Similo

ERIKA SIMILO
APPEALS OFFICER

Sent via OOR portal only to: Daniel Guckin
Tomas Keane

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