



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 31, 2026

IN RE: *James Lombardi v. City of Arnold*, OOR Dkt. AP 2026-3556

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 premature. The Request was submitted to the City of Arnold (“City”) on July 27, 2026. The City timely invoked a thirty-day extension of time to respond on August 3, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the City had five (5) business days, followed by thirty (30) calendar days, from July 27, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the City has until September 2, 2026 to respond to the Request. The appeal was submitted to the OOR on August 27, 2026; thus, the Requester did not allow sufficient time before filing the appeal. 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 City is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Westmoreland 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. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent via OOR e-file portal to: Requester; Agency Open Records Officer, City of Arnold

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