



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 31, 2026

IN RE: *James McDonald v. Pennsylvania Treasury Dep't*; OOR Dkt. AP 2026-3576

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 OOR lacks jurisdiction. The Pennsylvania Treasury Department (“Treasury”) is a Commonwealth agency that is not subject to the jurisdiction of the OOR. See 65 P.S. § 67.102; 65 P.S. § 67.503(d)(1). Instead, appeals involving the Treasury are to be heard by an appeals officer designated by the State Treasurer. 65 P.S. § 67.503(d)(1) (“The...State Treasurer ... shall designate an appeals officer to hear appeals under Chapter 11”).

For this reason, the Treasury 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 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.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 to: James McDonald, LK9909 (Via USPS);
Agency Open Records Officer (Via E-File Portal)

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