



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 3, 2026

IN RE: *Robert C McLain v. Pennsylvania State Police*, OOR Dkt. AP 2026-3601

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 Pennsylvania State Police (“State Police”) on August 3, 2026. Appeals of denied Right-to-Know requests must be filed within 15 business days of the date of the denial, or by August 24, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was submitted to the OOR on August 31, 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 State Police 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, 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, Agency Open Records Officer, Pennsylvania State Police

¹ The appeal also failed to address the PSP’s grounds for denying access to the requested records and is, therefore, insufficient as well. See 65 P.S. § 67.1101(a).

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