



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 4, 2026

IN RE: *Matthew Dowling v. Fayette County*, OOR Dkt. AP 2026-3389

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**:

On August 19, 2026, the OOR issued an Order notifying Matthew Dowling (“Requester”) that the appeal was deficient because it failed to include a copy of the Request. The OOR informed the Requester that the document was required to cure the deficiency and directed the Requester to file a copy of the Request by September 2, 2026, pursuant to 65 P.S. § 67.1303(b). However, to date, the Requester has failed to comply with the OOR’s Order and, without this document, the OOR lacks sufficient clarity to allow the OOR to adjudicate the matter.¹ Additionally, the OOR would be unable to present a complete record on appeal to an appellate court as required by Section 1303(b) of the RTKL. As the Requester has failed to comply with the OOR’s Order, this matter is **dismissed**.

For this reason, the County 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 Fayette 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, 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. 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>.²

Issued by:

/s/ Joshua T. Young

JOSHUA T. YOUNG, ESQ.
SENIOR DEPUTY CHIEF COUNSEL

Sent via OOR e-File Portal to: Matthew Dowling; Morgan Keteles, Mark Rafail, AORO

¹ The Requester’s appeal form references a Request dated August 3, 2026, while the statement attached to the appeal discusses RTKL requests submitted to the County on July 18, 2026. Without a copy of the Request, it is unclear what records are at issue in this appeal and, in the event the Requests were, in fact, submitted on July 18, 2026, whether the instant appeal was timely filed.

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