

FINAL DETERMINATION

DATE ISSUED AND MAILED: September 9, 2026

IN RE: *Glenn Murray v. Pennsylvania Department of Corrections*, OOR Dkt. AP 2026-3421

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the parties’ submissions, the appeal is **DENIED** because:

The records do not exist. On August 31, 2026, the Pennsylvania Department of Corrections (“Department”) submitted a statement made under the penalty of perjury from Kimberly Grant, Deputy Agency Open Records Officer (“AORO”), who attests that after receiving the Request, a thorough examination of records in the possession, custody and control of the Department was conducted. *See* Grant Attestation, ¶¶ 5-9. The Grant Attestation explained the search performed and the inquiries with other relevant Department personnel, did not result in locating responsive records. *Id.* Based upon this evidence, the Department has demonstrated responsive records do not exist and it is not required to create a record. 65 P.S. § 67.705; *Hodges v. Pa. Dep’t of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011).

For this reason, the Department 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.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/ Meryl M. Peterman

MERYL M. PETERMAN, ESQ.
APPEALS OFFICER

Sent via mail to: Glenn Murray
Sent via portal to: Joseph Gavazzi, Esq.

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