



FINAL DETERMINATION

DATE ISSUED AND MAILED: **September 10, 2026**

IN RE: *Bryan Stine v. Upper Mt Bethel Township*, OOR Dkt. AP 2026-3456

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number by Bryan Stine (“Requester”) on August 20, 2026, and the parties’ submissions, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was emailed to Upper Mt Bethel Township (“Township”) at 9:30 p.m. on August 12, 2026, but it was not received by the Township’s Agency Open Records Officer (“AORO”) until August 13, 2026. Therefore, the Township had five business days from August 13, 2026, to respond to the Request, or until 11:59:59 p.m. on August 24, 2026.¹ See 65 P.S. § 67.901. The appeal was submitted to the OOR on August 20, 2026 at 11:04 p.m., prior to the expiration of the Township’s response period; thus, the Requester did not allow sufficient time before filing the appeal.² 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 Township 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 Northampton 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.³ 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 OOR website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Megan Burns

MEGAN BURNS
APPEALS OFFICER

Sent via OOR Portal to: Bryan Stine; Richard Fisher; Cynthia Beck; and Ronold Karasek, Esq.

¹ The Township’s website reflects that it was closed on Fridays during the Summer from “May 4th through September 4th.” See https://www.umbt.org/?page_id=1630 (last accessed Sept. 9, 2026).

² Despite the sworn affidavit of Township Solicitor, Ronold Karasek, Esq., affirming that certain records do not exist and that the Township in the process of obtaining records responsive to other parts of the Request, the OOR lacks jurisdiction to consider the merits of the appeal at this time.

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