



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 18, 2026

IN RE: *John Miller v. East Whiteland Township Police Department*; OOR Dkt. AP 2026-3880

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. On December 29, 2025, an Appeals Officer from the OOR issued a Final Determination pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, granting the appeal.¹ On September 14, 2026, the Appellant filed an appeal with the OOR disputing the sufficiency of the record(s) provided to him by the Department on September 11, 2026. However, the OOR does not have jurisdiction to hear appeals of its final determinations. Instead, an appeal “of the final determination of the appeals officer relating to a decision of a local agency” must be filed “with the county where the local agency is located.”² 65 P.S. § 67.1302(a) (emphasis added). Therefore, the OOR does not have jurisdiction over this appeal.

For this reason, the Police Department 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 Chester 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. 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.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 website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, East Whiteland Township Police Department

¹ The underlying appeal was docketed as *John Miller v. East Whiteland Township Police Department*, OOR Dkt. AP 2025-3493.

² Additionally, to the extent an appeal has already been filed and ruled on in the county Court of Common Pleas, a subsequent appeal can be filed in Commonwealth Court. General information regarding Post-Final Determination procedures can be found here - <https://www.openrecords.pa.gov/Appeals/PostFD.cfm>.

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