



## **FINAL DETERMINATION**

DATE ISSUED AND MAILED: September 29, 2026

IN RE: *Nathan Favreau and Donald G. Karpowich, Attorney-At-Law, P.C. v. Pennsylvania State Police*, OOR Dkt. AP 2026-3885

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the Pennsylvania State Police’s (“PSP”) submission, it is determined that the appeal is **DISMISSED** because:

**The appeal is premature.** The appeal states that the Request was filed on August 19, 2026 and deemed denied; however, on August 26, 2026, the PSP invoked a thirty-day extension to respond. *See* Response Extension Letter (08/26/2026). Because an appeal may only be filed from the denial or deemed denial of a request, and the PSP still had time to respond to the Request at the time the appeal was filed, the appeal must be dismissed as premature. 65 P.S. § 67.901.

For this reason, the PSP 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.<sup>1</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

*/s/ Josh Macel*

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JOSH MACEL  
APPEALS OFFICER

Sent *via* Appeals Portal to: Nathan Favreau; William Rozier (AORO); Colin Hitt, Esq.

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