



FINAL DETERMINATION

DATE ISSUED: October 2, 2026

IN RE: *Beau Brown v. Harrisburg City*, OOR Dkt. AP 2026-3686

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the Harrisburg City’s (“City”) submissions,¹ it is determined that the appeal is **DISMISSED** because:

The appeal is premature. On August 31, 2026,² Beau Brown (“Requester”) submitted a Request to the City. On September 8, 2026,³ the City invoked a thirty-day extension and has until October 8, 2026, to respond to the Request. *See* 65 P.S. § 67.902(b); Lastimososa-Schwartz Attestation, ¶ 6. On September 4, 2026, the Requester filed this instant appeal. Because the City did not have an opportunity to respond to the Request prior to receiving the appeal, the appeal must be **dismissed as premature**. The Requester is not prohibited from filing the Request with the City and, if necessary, filing an appeal with the OOR pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the City 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 Dauphin 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.⁴ 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/ Damian J. DeStefano

DAMIAN J. DESTEFANO, APPEALS OFFICER

Sent via OOR E-file appeal portal to: Beau Brown; Pamela A. Lastimososa-Schwartz, AORO

¹ On September 11, 2026, the City submitted a position statement and an attestation made under the penalty of unsworn falsification to authorities from Pamela A. Lastimososa-Schwartz (“Lastimososa-Schwartz Attestation”), the City’s Open Records Officer (“AORO”) asserting that it properly invoked a thirty-day extension to respond to the Request. *See* 65 P.S. § 67.902(b). The City’s submission included a copy of the notice to invoke a thirty-day extension.

² The Request was dated August 27, 2026. However, the Request was not received by Lastimososa-Schwartz until August 31, 2026, due to an absence from the office from August 28th through August 31st. *See* 65 P.S. § 67.901.

³ The OOR recognizes September 7, 2026, as a holiday in calculating five business days to respond to the Request. *See* 65 P.S. § 67.901.

⁴ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).