



FINAL DETERMINATION

IN THE MATTER OF

**EVAN WOOD,
Requester**

v.

**PENNSYLVANIA STATE POLICE,
Respondent**

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**Docket No: AP 2026-3829
(Consolidated appeal of OOR Dkt.
AP 2026-3829, 2026-3830, 2026-
3831, 2026-3832, 2026-3833)**

The Office of Open Records (“OOR”) received the above-captioned appeal under the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* For the following reasons, the appeal is dismissed.

On August 14, 2026, Evan Wood (“Requester”) submitted two requests (“Request 1 and Request 2”) to the Pennsylvania State Police (“PSP”) pursuant to the RTKL and on August 24, 2026, the Requester submitted three additional requests (“Request 3, Request 4, and Request 5”).

On August 21, 2026, PSP invoked a thirty-day extension to respond to Requests 1 and 2. 65 P.S. § 67.902(b). On August 31, 2026 PSP invoked a thirty-day extension to respond to Requests 4-5. *Id.*

On September 11, 2026, the Requester filed appeals with the Office of Open Records (“OOR”) claiming that the Requests were deemed denied.¹ *See* 65 P.S. § 67.901. The OOR invited both parties to supplement the record and directed PSP to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On September 22, 2026, PSP submitted a position statement arguing that the appeals are premature. On September 23, 2026, the Requester submitted a statement in support of the appeal, arguing that PSP did not show that the extension notice was timely.²

On October 1, 2026, in response to the OOR’s request for additional information, PSP submitted the attestation of its Open Records Officer, William Rozier (“Rozier Attestation”), showing that it invoked a timely extension to respond to the Requests.³ *See* Rozier Attestation, ¶¶ 6-13.⁴ Because the appeal was filed prior to the expiration of the extension period invoked by PSP, the appeal is **dismissed as premature**. However, nothing in this Final Determination prevents the Requester from filing appeals of PSP’s final responses to the Requests. 65 P.S. § 67.1101(a)(1).

The file is now closed, and no further action will be taken. This Final Determination is binding on the parties. Within thirty days of the mailing date of this Final Determination, either party may appeal to the Commonwealth Court. *See* 65 P.S. § 67.1301(a). All parties must be

¹ The appeals were docketed as OOR Dkts. AP 2026-3829, AP 2026-3830, AP 2026-3831 AP, 2026-3832, AP 2026-3833. Because the appeals involve the same parties and similar issues, the appeals are hereby consolidated into the above-captioned docket, OOR Dkt. AP 2026-3829.

² On October 1, 2026, the Requester provided a supplemental submission, which, in part, addresses PSP’s final response to Requests 2-5. The substantive issues for PSP’s denial of the Requests are not at issue in this appeal and, thus, will not be further addressed in this final determination.

³ The RTKL does not require that a requester receive an extension notice within five business days, only that the agency send the extension notice during that time period. *See Cap v. City of Allentown*, No. 2011-C-3533, slip op. at 4 (Lehigh Com. Pl. Jan. 20, 2012).

⁴ Under the RTKL, an affidavit may serve as sufficient evidentiary support. *See Sherry v. Radnor Twp. Sch. Dist.*, 20 A.3d 515, 520-21 (Pa. Commw. Ct. 2011); *Moore v. Office of Open Records*, 992 A.2d 907, 909 (Pa. Commw. Ct. 2010).

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 Section 1303 of the RTKL. 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.⁵ This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: October 5, 2026

/s/ Erika Similo

APPEALS OFFICER
ERIKA SIMILO, ESQ.

Sent via OOR e-file portal to: Evan Wood
Colin Hitt, Esq.
William A. Rozier

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