



FINAL DETERMINATION

IN THE MATTER OF

**JACOB TAMIN,
Requester**

v.

**CLEARFIELD REGIONAL
POLICE DEPARTMENT,
Respondent**

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Docket No: AP 2026-3495

FACTUAL BACKGROUND

On July 24 and August 5, 2026, Jacob Tamin (“Requester”) submitted two requests (“Requests”) to the Clearfield Regional Police Department (“Department”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking:

Request 1 (July 24, 2026) - records in reference to a welfare check of the Requester’s former spouse; and,

Request 2 (August 5, 2026)

Any and all police reports, incident reports, supplemental reports, officer narratives, notes, and related records concerning an incident that occurred on or about October 3, 2021, involving Officer Levi Olson of the Clearfield Regional Police Department. Any associated records identifying the incident number, call for service number, date and time of the incident, responding officers, location of the incident, and final disposition of the matter.¹

¹ The Requester did not submit Request 1 to the record. However, the OOR is able to reach the merits of this appeal.

As the Requester did not receive the Department's response for Request 1 within five business days, Request 1 was deemed denied on July 31, 2026.

On August 7, 2026, the Department issued an untimely denial of Request 1, and withheld responsive records under the RTKL,² as the records relate to a noncriminal investigation. *See* 65 P.S. § 67.708(b)(17)(vi)(E). In the August 7, 2026, correspondence, the Department also notified the Requester that it received Request 2 on August 5, 2026, and would need until August 12, 2026, to effectively respond. However, Request 2 was deemed denied on August 12, 2026, and subsequently, on August 17, 2026, the Department granted Request 2 and provided responsive records to the Requester.

On August 24, 2026,³ the Requester appealed to the Office of Open Records ("OOR"), challenging the Department's response in its August 7, 2026, correspondence and stating grounds for disclosure. The OOR invited both parties to supplement the record and directed the Department to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On September 19, 2026, the Department submitted a position statement from the Department's Open Records Officer ("AORO"), Julie M. Curry, and corresponding exhibits, which described the aforementioned factual background.

1. The appeal as to Request 1 is untimely

The Department received Request 1 on July 24, 2026, and the Request was deemed denied on July 31, 2026. Appeals of denied RTKL requests must be filed within 15 business days of the deemed denial date, or by August 21, 2026, in this instance. *See* 65 P.S. § 67.1101(a)(1). The instant appeal was filed on August 24, 2026. As such, the appeal as to Request 1 is dismissed as untimely.⁴

² The OOR notes the Department's use of the "Freedom of Information Act."

³ The OOR notes that the Requester's appeal submissions dated August 15, 2026, predate the Department's response.

⁴ The OOR notes that the requested records are in reference to a welfare check of the Requester's former spouse and the Department asserts that records responsive to Request 1 are exempt from public disclosure as part of a noncriminal investigation. *See* 65 P.S. § 67.708(17)(vi)(E).

2. The appeal is moot in part

The records reflects that the Department granted Request 2 and provided responsive records to the Requester on August 17, 2026. The Requester has not submitted any evidence to the contrary. Therefore, because the Department provided responsive records to the Requester for Request 2, the appeal is dismissed as moot in part. *See Chester Water Auth. v. Pa. Dep't of Cmty. & Econ. Dev.*, 249 A.3d 1106, 1114 (Pa. 2021) (finding that a matter was settled by provision of records and, thus, “the controversy has been mooted”).

CONCLUSION

For the foregoing reasons, the appeal is **dismissed as untimely in part** and **dismissed as moot in part**, and the Department is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal to the Clearfield 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.⁵ 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>.

FINAL DETERMINATION ISSUED AND MAILED: October 13, 2026

/s/ Damian J. DeStefano

DAMIAN J. DESTEFANO
APPEALS OFFICER

Sent via OOR E-file appeal portal to: Jacob Tamin; Julie M. Curry, AORO

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