



FINAL DETERMINATION

DATE ISSUED AND MAILED: October 20, 2026

IN RE: *James Harris v. Indiana County*, OOR Dkt. AP 2026-3959

Upon review of the appeal¹ filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the parties’ submissions, the appeal is **DENIED** because:

Additional responsive records do not exist. On September 29, 2026, Indiana County (“County”) submitted an attestation authored by Robin Maryai (“Maryai Attestation”), the County’s Agency Open Records Officer (“AORO”), who attests that a search was conducted within the County’s records, which included inquiries with the Director of Information Services and the Directory of County Planning and Development. Maryai Attestation ¶ 8; County position statement p. 2. As a result of the County’s search, additional responsive records do exist in the County’s possession, custody or control. *Id.* at ¶ 4. Based upon this evidence, the County demonstrated that it conducted a good faith search for responsive records as required by 65 P.S. § 67.901 and, as a result of the search, no additional responsive records were located. Therefore, the County has met its burden of proof. *Hodges v. Pa. Dep’t of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011).

For this reason, the County 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 Indiana 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.² 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/ Bandy L. Jarosz

BANDY L. JAROSZ, ESQ., APPEALS OFFICER

Sent via portal only to: James Harris; Matthew T. Budash, Esq.; Robin Maryai

¹In its final response, the County did not include the appeal information for the OOR, as required by 65 P.S. § 67.903(5); however, this does not mean the County has acted in bad faith. The County timely responded to the Request, provided electronic records in an electronic medium as requested and has participated on appeal. Further, the Requester was able to timely appeal to the appropriate tribunal.

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).