Pennsylvania
Office of Open Records

Pennsylvania Office of Open Records
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FINAL DETERMINATION

DATE ISSUED AND MAILED: November 3, 2026

IN RE: *Kara Shupp v. Northampton County*, OOR Dkt. AP 2026-4349

Upon review of the appeal 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:

The records do not exist. On October 19, 2026, Northampton County ("County") submitted two sworn affidavits from Tyree A. Blair, Sr., Esq., the County's Open Records Officer, who attests that a thorough search confirmed that no responsive records exist, aside from what the County already produced. Blair Affidavit I, ¶¶ 5-6, 8-13; Blair Affidavit II, ¶¶ 4-7.[1] Based upon this evidence, the County has demonstrated that it conducted a good faith search for responsive records as required by 65 P.S. § 67.901 and did not locate any additional records. Therefore, based on the evidence, the County has met its burden of proof that it does not possess any other responsive records. *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 Northampton 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.

/s/ Blake Eilers
Blake Eilers, Esq.
Senior Appeals Officer

Delivered via OOR E-file Appeal Portal to: Kara Shupp; Tyree A. Blair, Sr., Esq.

[1] In part, the Request sought records related to an individual's voter registration and eligibility for political office. While the Requester disavows interest in "the contents of a confidential voter-registration file," the Voter Registration Act preempts the RTKL regarding public dissemination of voter information. *See Swoboda v. Pa. Dep't of State*, 304 A.3d 105, 112 (Pa. Commw. Ct. 2023).
[2] *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).