Pennsylvania
Office of Open Records

Pennsylvania Office of Open Records
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FINAL DETERMINATION

DATE ISSUED AND MAILED: November 6, 2026

IN RE: *Christine Bruno v. Luzerne County*, OOR Dkt. AP 2026-4318

Upon review of the appeal filed with the Office of Open Records ("OOR") to the above-referenced docket number, the appeal is **DISMISSED** because:

The appeal is insufficient. The appeal does not meet the requirements of 65 P.S. § 67.1101(a)(1). Section 1101(a)(1) of the RTKL states that an "appeal shall state the grounds upon which the requester asserts that the record is a public record, legislative record or financial record and shall address any grounds stated by the agency for delaying or denying the request." 65 P.S. § 67.1101(a)(1).

Here, the appeal was not submitted on the OOR's standard appeal form and the Requester's appeal statement raises challenges to a separate RTKL request. Because the Requester's statement on appeal does not specifically challenge the denial of the RTKL request underlying the instant appeal or address why such records are public records, the Requester failed to adequately address the grounds for denial. Therefore, the appeal is not sufficient under 65 P.S. § 67.1101(a)(1).[1]

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 Luzerne 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/ Damian J. DeStefano

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DAMIAN J. DESTEFANO, APPEALS OFFICER

Sent via OOR E-file appeal portal to: Christine Bruno; Therese Reilly, AORO

[1] We note, however, it appears that the appeal is moot because the County directed the Requester to the Recorder of Deeds for records responsive to Items 1 and 2 of the Request and to the County's public website for records responsive to Item 3.
[2] *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).