Pennsylvania
Office of Open Records

Pennsylvania Office of Open Records
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# FINAL DETERMINATION

DATE ISSUED AND MAILED: November 24, 2026

IN RE: *Tori Kidwell v. City of Arnold,* OOR Dkt. AP 2026-5335

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

**The appeal is premature.** The Request was submitted to the City of Arnold ("City") on October 13, 2026.[1] The City timely invoked a thirty-day extension of time to respond on October 14, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the City had five (5) business days, followed by thirty (30) calendar days, from October 13, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the City had until 11:59:59 p.m. on November 19, 2026 to respond to the Request. The appeal was submitted to the OOR on November 19, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the City is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Westmoreland 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. 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. 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/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent via OOR e-file portal to: Tori Kidwell; Jennifer Schwartz, AORO

[1] The Request was transmitted on October 11, 2026, a Sunday, and the City was also closed on October 12, 2026 in observance of the Columbus/Indigenous People's Day holiday. Therefore the Request is deemed to have been received the next business day, October 13, 2026, and the City's response deadline is calculated from that date.