



FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
CALVIN THOMPCKINS,	:	
Requester	:	
	:	
v.	:	Docket No: AP 2020-0565
	:	(CONSOLIDATED)
PENNSYLVANIA DEPARTMENT OF	:	
INSURANCE,	:	
Respondent	:	

On March 19, 2021, Calvin Thompkins (“Requester”) filed four appeals with the Office of Open Records (“OOR”), challenging the decision by the Pennsylvania Department of Insurance (“Department”) to deny his requests (“Requests”) made pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking various documents.¹

However, the Requester’s appeal submissions did not include copies of the Department’s responses. On March 22, 2021, the OOR issued Orders notifying the Requester that his appeals were deficient because they failed to include copies of these documents. The OOR informed the Requester that he was required to cure the deficiency and directed him to file complete copies of the responses pursuant to 65 P.S. § 67.1303(b).

¹ The appeal of the first request was docketed at OOR Dkt. AP 2021-0565; the second was docketed at OOR Dkt. AP 2021-0566; the third was docketed at OOR Dkt. AP 2021-0568; and the fourth was docketed at OOR Dkt. AP 2021-0569. Because they involve the same parties and dates, the appeals are hereby consolidated at OOR Dkt. AP 2021-0565.

The Requester has not submitted copies of the documents, and has therefore, failed to comply with the OOR's Orders. Without copies of the Department's responses, the record in this appeal is not sufficient. Without these documents, the OOR does not have a complete record upon which to base its determination. Additionally, the OOR would be unable to present a complete record on appeal to an appellate court as required by Section 1303(b) of the RTKL. As the Requester has failed to comply with the OOR's Orders, this matter is dismissed.

For the foregoing reasons, the Requester's appeal is **dismissed as insufficient**, 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 Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond as per Section 1303 of the RTKL. 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.² This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: April 13, 2021

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

Sent to: Calvin Thompkins (via email);
Terri Lynn Brown (via email)

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