



FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
MILES WOLFE, JR.,	:	
Requester	:	
	:	
v.	:	Docket No.: AP 2021-0612
	:	
PENNSYLVANIA DEPARTMENT OF	:	
LABOR AND INDUSTRY,	:	
Respondent	:	

On March 24, 2021, Miles Wolfe, Jr. (“Requester”), submitted an appeal to the Office of Open Records (“OOR”), challenging the Pennsylvania Department of Labor and Industry’s (“Department”) denial of his request (“Request”) made pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* However, the Requester’s appeal submission did not include a complete copy of the Request and the Department’s response pursuant to 65 P.S. § 67.1303(b).

On March 24, 2021, the OOR issued an Order notifying the Requester that the appeal was deficient because it failed to include a complete copy of the Request and the Department’s response. The OOR informed the Requester that he was required to cure the deficiency and directed him to file a copy of the Request and the Department’s response pursuant to 65 P.S. § 67.1303(b). To date, the Requester has failed to comply with the OOR’s Order.

By failing to include a copy of the Request and the Department's response, 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 Order, this matter is **dismissed**.

For the foregoing reasons, 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 according to Section 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.¹ This Final Determination shall be placed on the OOR website at: <https://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: April 14, 2021

/s/ Ryan W. Liggitt

RYAN W. LIGGITT, ESQ.
APPEALS OFFICER

Sent to: Miles Wolfe, Jr. (via email only); and
Marian Bassler, AORO (via email only)

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).