

STEPHEN A. ZAPPALA, JR.
DISTRICT ATTORNEY



OFFICE OF THE DISTRICT ATTORNEY

County of Allegheny

436 GRANT STREET, 401 COURTHOUSE ♦ PITTSBURGH, PENNSYLVANIA 15219-2489
PHONE (412) 350-4377 ♦ FAX (412) 350-3312

Richard F. Andracki, Esquire
Andracki, Sysak & Artman, P.C.
Suite 600, The Pittsburger
428 Forbes Avenue
Pittsburgh, PA 15219

September 2, 2020

John Bojarski
Agency Open Records Officer
Town of McCandless
9955 Grubbs Road
Wexford, PA 15090-9644

In re: Right to Know Law Appeal; Dkt. No. AP 2020-0925

Dear Mr. Andracki and Open Records Officer Bojarski:

I am the Open Records Appeals officer for Allegheny County. I am perplexed in that I received a letter dated August 21, 2020 from requester Andracki in which he asserts that he filed an appeal with me from the denial of his request for documents. Mr. Andracki appears to believe that by copying me on the June 3, 2020 appeal letter that he filed with Erik Arneson, Executive Director, Office of Open Records, he perfected an appeal to me. When I received that letter I did not consider it to be a valid appeal to me. The letter is addressed to Mr. Arneson and I am not referred to at all, except as a recipient of a copy. I have been doing this job

since the Act was enacted and have never had someone believe that by copying me on an appeal to the Office of Open Records, they have perfected an appeal to me. I would have expected a requester learned in the law to at least include me in the salutation. That letter was addressed to Mr. Arneson, not me. Because I did not view it as an appeal to me, I took no action and the time for me to act has expired.

Please be advised that pursuant to Section 65 P.S. §67.1302 the parties have 30 days to appeal my decision to the Court of Common Pleas of Allegheny County.

Very truly yours,

Michael W. Streily
Deputy District Attorney
Open Records Appeals Officer