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OFFICE OF DISTRICT ATTORNEY
SCHUYLKILL COUNTY COURTHOUSE
POTTSVILLE, PA 17901-2520

January 4, 2019

RECEIVED

FEB 06 2019

OFFICE OF OPEN RECORDS

John M. Gera
200 South Spencer Street
Frackville, PA 17931

Dear Mr. Gera,

I am in receipt of your appeal of the denial of your Right-to-Know Law Request (Request) by the Frackville Borough. Your appeal was transferred to my office from the Office of Open Records (OOR) in a Final Determination issued on July 26, 2018, and docketed AP 2018-1118. In your request, you sought the following three items:

1. The names, addresses and telephone numbers of all Frackville, Pa. Borough Mayor, Borough Council Members, Borough Solicitor and insurance carrier/provider.
2. All records of V.G. and B.A. both living at [an identified address] concerning any and all investigations, communications, records, reports, etc. by the Frackville Police on Michael Gera and John Gera.
3. All records concerning any and all investigations, communications, records, reports, etc. by the police on Michael and John Gera.

Because OOR has already ruled on your request for the records mentioned in item #1 above, I will only address the two remaining types of records you requested. I am of the opinion that both of the remaining types of records you have requested are exempt from disclosure under 65 P.S. §67.708 (b)(16). For this reason, I am denying your appeal.

Please be advised that you have thirty days from the date of the mailing of this decision to appeal my decision to the Court of Common Pleas of Schuylkill County pursuant to 65 P.S. § 67.1302.

Sincerely,



Michael J. Stine
Open Records Appeals Officer
First Assistant District Attorney
570-628-1350

MJS/mjs

cc: Mark Semanchik, Esquire, Solicitor for Frackville Borough
Glenn Roth, Esquire, Schuylkill County Solicitor
Michael A. O'Pake, Schuylkill County District Attorney