



**pennsylvania**  
OFFICE OF OPEN RECORDS

**FINAL DETERMINATION**

<b>IN THE MATTER OF</b>	:	
	:	
<b>CHASE SPRING,</b>	:	
<b>Requester</b>	:	
	:	
<b>v.</b>	:	<b>Docket No.: AP 2017-2170</b>
	:	
<b>MONTGOMERY COUNTY,</b>	:	
<b>Respondent</b>	:	

The Office of Open Records (“OOR”) received the above-captioned appeal under the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* Upon review of the file, the appeal is **dismissed** for the following reason:

On November 16, 2017, Chase Spring (“Requester”) submitted a RTKL request (“Request”) to Montgomery County (“County”), seeking “radio dispatch and response time log for the pedestrian strike near the SEPTA Glenside Train Station... on 10/20/2017....” On November 21, 2017, the County invoked a thirty day extension to respond to the Request. 65 P.S. § 67.902. On the same day, November 21, 2017, the Requester submitted an appeal with the OOR.

As the present appeal was filed on November 28, 2017, before the County’s thirty days to respond elapsed, the appeal is **dismissed as premature**.<sup>1</sup>

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<sup>1</sup> On November 28, 2017, the County provided the time response logs. The Requester is not precluded from filing an appeal of the County’s response pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For the foregoing reason, the County 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 Montgomery 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 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.<sup>2</sup> This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

**FINAL DETERMINATION ISSUED AND MAILED: December 6, 2017**

/s/ Jill S. Wolfe

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JILL S. WOLFE, ESQ.  
APPEALS OFFICER

Sent to: Chase Spring (via e-mail only);  
Joshua Stein, Esq. (via e-mail only);  
Francis Dean (via e-mail only)

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