

FINAL DETERMINATION

DATE ISSUED AND MAILED: December 5, 2018

IN RE: *Jessie Clendenen v. Washington County Court of Common Pleas*, OOR Dkt. AP 2018-2094

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is deficient for the reason(s) specified below. Accordingly, the appeal is **DISMISSED**, and the agency is not required to take any further action.

- Appeal filed beyond fifteen (15) business days of denial/deemed denial.
- Appeal failed to include a copy of the Request and/or agency Response.
- Appeal failed to state why records are public records.
- Appeal failed to address agency grounds for denial of access to records.
- OOR lacks jurisdiction over agency from which records are sought.
- OOR lacks jurisdiction over local agency criminal investigative records.
- Other: The OOR does not have jurisdiction over judicial agencies, which includes the Washington County Court of Common Pleas. See 65 P.S. §§ 67.503(a)-(b). As stated in the Rule 509 Records Manager’s response, the Requester may file an appeal with the Rule 509 Appeals Officer for the Court. See Pa. R.J.A. 509.

Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with 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 court rules as per 65 P.S. § 67.1303. 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

Issued by:

/s/ Kyle Applegate

Appeals Officer
Kyle Applegate

Sent to: Jessie Clendenen, Requester (via email only);
Patrick Grimm, Agency Open Records Officer (via email only)

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