



pennsylvania

OFFICE OF OPEN RECORDS

FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
JOSHUA MONIGHAN,	:	
Requester	:	
	:	
v.	:	Docket No.: AP 2019-0585
	:	
PENNSYLVANIA HOUSE	:	
OF REPRESENTATIVES,	:	
Respondent	:	

On March 25, 2019 Joshua Monighan (“Requester”) submitted a request (“Request”) to the Pennsylvania House of Representatives (“House”). The House of Representatives denied the Request on March 29, 2019, explaining that an appeal must be filed with the House’s Appeals Officer. On April 16, 2019, Requester appealed to the Office of Open Records (“OOR”).

The House is a “[l]egislative agency” as defined by the RTKL. *See* 65 P.S. § 67.102. Legislative agencies are not subject to the jurisdiction of the OOR. *See* 65 P.S. § 67.503(a). Instead, appeals involving a legislative agency are to be heard by an appeals officer designated by the legislative agency. 65 P.S. § 67.503(c)(2)(ii). Accordingly, the appeal is hereby **transferred** to the Appeals Officer for the House, Anthony C. Aliano, Esq. A copy of this final order and the appeal filed by the Requester will be sent to Appeals Officer for the House.

This Final Determination is binding on the parties. Within thirty days of the mailing date of this Final Determination, either 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 court rules as per Section 1303 of the RTKL. This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: April 18, 2019

/s/ Kyle Applegate

APPEALS OFFICER/ ASSISTANT CHIEF COUNSEL
KYLE APPELGATE

Sent to: Joshua Monighan (via email only)
Anthony C. Aliano, Esq. (via US Mail)
Brooke I. Wheeler, Esq. (via email only)