

IN THE SENATE OF PENNSYLVANIA

Appeal of Rapp

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Senate RTK Appeal 01-2012

FINAL DETERMINATION

March 29, 2012

STATEMENTS OF FACT

On Wednesday, March 28, 2012 at 5:54 p.m., the Senate Appeals Officer received an electronic mail submission from Ms. Gretchen Rapp purporting to appeal a denial of access to certain financial records by the Senate's Open Records Officer. A subsequent electronic mail submission was received at 5:57 p.m. which stated, *inter alia*, "...I meant to include my phone numbers in case you need to reach me." A home phone number and a cellular telephone number were listed. No mailing address was included for Ms. Rapp.<sup>1</sup>

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<sup>1</sup>This Final Determination dismissing the appeal will be sent to Ms. Rapp by electronic mail since there is no other way to contact her other than by the

## DISCUSSION

A proper appeal of a decision by the Senate's Open Records Officer must include two written copies of the appeal delivered or mailed to the Appeals Officer. Electronic filing is not permitted. The appeal must also specifically refer to any disputed factual or legal matter in the denial and the grounds upon which the it is asserted that the requested records are legislative or financial records.

67 P.S. §67.1101; 104 Pa.Code §7.23(b)(1)

The requester in this appeal attempted to file by electronic filing. Requester did not provide two written copies of the appeal to the Appeals Officer. Requester did not specifically dispute any factual or legal matter in the denial of access to records. Indeed, the Appeals Officer does not even have a mailing address for this requester.

For the foregoing reasons, this appeal is dismissed and the Senate is not required to take any further action. If filed within fifteen business days of the original denial of access, this appeal may be refiled and include copies of all documents existing or submitted so far in this appeal. This Final Determination is

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telephone numbers she supplied.

binding on all parties. Within thirty days, any party may appeal this Final

Determination to Commonwealth Court. 65 P.S. §67.1301(a)

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ORDER

AND NOW, this 29th day of March, 2012, this appeal is dismissed without prejudice. The dismissal shall be with prejudice upon the expiration of fifteen (15) business days from the date of the denial of access to records.



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Mark F. Corrigan  
Senate Appeals Officer