

IN THE SENATE OF PENNSYLVANIA

Appeal of Riches

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Senate RTK Appeal 02-2015

FINAL DETERMINATION
November 30, 2015

On October 17, 2015, Jonathan Lee Riches (“Requester”) filed a request (“Request”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, with the “Open Records Officer” in the District Office of Pennsylvania State Senator Lawrence Farnese. Requester states that he did not receive a response to his Request in the statutorily proscribed time; therefore, he maintains his Request was deemed denied under the RTKL. See 65 P.S. § 67.901. On November 4, 2015, the Requester erroneously¹ filed an appeal with the Office of Open Records (“OOR”), which office, on November 10, transferred the appeal to this Office. See 65 P.S. § 503.

On November 13, 2015 this Office notified the Senate Open Records Officer, Donetta M. D’Innocenzo, of the appeal. In response to this notification, the Senate Open Records Officer, on November 20, 2015, submitted to this Office an “Attestation that request was not received” along with a copy of the response that she provided to the Requester as required by the RTKL. Because the Open Records Officer provided the requested records during the pendency of this appeal, the appeal is **dismissed as moot**.

¹ The OOR has no jurisdiction to hear a RTKL appeal involving a legislative agency. See 65 P.S. §§ 101, 503.

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ORDER

AND NOW, this 30th day of November 2015, the above-referenced appeal is dismissed as moot.



Megan Martin
Senate Appeals Officer

APPEALING THIS DECISION TO COMMONWEALTH COURT

Within 30 days of the mailing date of this final determination, either party to this action may appeal the decision to the Commonwealth Court. 65 P.S. § 67.1301. If you have any questions about the procedure to appeal, you may call the Prothonotary of the Commonwealth Court at 717-255-1600.