

IN THE SENATE OF PENNSYLVANIA

Appeal of Mardoian

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Senate RTK Appeal 01-2026

FINAL DETERMINATION
April 16, 2026

Statement of Facts

On March 30, 2026, Richard T. Mardoian (the “Requester”) submitted to this office via email an appeal pursuant to the Right-to-Know Law, Act of February 14, 2008, P.L. 6, No. 3, 65 P.S. § 67.101 *et seq.* (the “RTKL”). A copy of Requester’s appeal is attached hereto and labeled “Requester’s Appeal.”

In his appeal, Requester references a RTKL request submitted to the Senate Open Records Officer which was denied on March 25, 2026. Requester sets forth the grounds for his appeal, as well as his argument for disclosure. Requester also requests *in camera* review of the records sought. Requester concludes by asking that the denial be vacated and that the immediate release of the requested records be ordered.

On March 31, 2026, a deficiency letter was sent via email¹ to Requester indicating that his RTKL appeal was insufficient because it did not include a complete copy of his RTKL request and a complete copy of the Senate Open Records Officer’s response to the request. A copy of the March 31, 2026 letter is attached hereto and labeled “Deficiency Letter.” The letter

¹ Requester’s Appeal was submitted via email and did not include any further contact information for the Requester.

requested that the Requester submit the missing documents by April 14, 2026, or his RTKL appeal would be dismissed.

As of the date of this Final Determination, the Senate Appeals Officer has received no further communication from the Requester.

Sufficiency of the Appeal

The Requester's appeal states his alleged grounds for appeal, and argues for the disclosure of the requested documents. The appeal references specific portions of his request (e.g. "Item 3), as well as caselaw cited by the Senate Open Records Officer in her response. However, the Requester did not include a copy of either his request or the Senate Open Records Officer's response.

The Senate Appeals Officer promptly notified the Requester of the documents necessary to constitute a complete appeal and warned the Requester that if he did not submit the required documents by April 14, 2026 his appeal would be dismissed. Without the required documents, the Senate Appeals Officer is unable to determine what records the Requester sought, the Senate Open Records Officer's basis for denying the request, and whether the denial of the request was proper under the RTKL.

The Statement of Policy promulgated by the Senate pursuant to Section 504(a) of the RTKL² provides, in relevant part, that "An appeal must include complete contact information, a copy of the original request, and a copy of the response, if any." 104 Pa. Code § 7.16(c). These

² 75 P.S. § 67.504(a) provides in relevant part that "An agency may promulgate regulations and policies necessary for the agency to implement this act."

requirements ensure that the Senate Appeals Officer has a complete record upon which to base the final determination of an appeal under the RTKL.

Furthermore, should the Requester choose to appeal the final determination of the Senate Appeals Officer, the Senate Appeals Officer must be able to present a complete record to the appellate court. Under Section 1303(b) of the RTKL, “The record before a court shall consist of the request, the agency's response, the appeal filed under section 1101, the hearing transcript, if any, and the final written determination of the appeals officer.” 65 P.S. § 67.1303(b).

Upon receiving the Requester’s March 30, 2026 email appealing the denial of his RTKL request, the Senate Appeals Officer promptly notified Requester that his appeal was deficient. The Deficiency Letter set forth the documents Requester must submit in order to complete his appeal, and warned the Requester that failure to submit the required documents by April 14, 2026 would result in dismissal of his appeal. As of the date of this Final Determination, Requester has not submitted the required documents or otherwise responded to the Senate Appeals Officer. Therefore, Requester’s appeal in this matter is insufficient and must be dismissed.

Conclusion

This appeal is dismissed as insufficient. The Requester failed to include a complete copy of his RTKL request and a complete copy of the Senate Open Records Officer’s response to the request. Therefore, the appeal fails to satisfy the requirements of the RTKL. The Senate is not required to take any further action with regard to this appeal.

IN THE SENATE OF PENNSYLVANIA

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ORDER

AND NOW, this 16th day of April 2026, this appeal is DISMISSED as insufficient. The Senate is not required to take any further action with respect to this appeal.



MICHAEL GERDES
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 717-255-1650.

Requester's Appeal

Gerdes, Michael

From: Richard Mardoian <rmardoian25@gmail.com>
Sent: Monday, March 30, 2026 12:04 PM
To: RTKAppeals
Subject: Richard Mardoian Whistleblower Appeal

**** External Email **** This email has come from an external source. Please use caution when opening attachments and clicking on links as they could contain malicious items.

Dear Mr. Gerdes,

Pursuant to Section 1101 of the Pennsylvania Right-to-Know Law (RTKL), 65 P.S. § 67.1101(a)(1), I hereby appeal the denial of my request for records dated March 25, 2026, issued by Open Records Officer Jessica P. Rodic.

I. Grounds for Appeal The agency erred in determining that the requested records do not constitute "Legislative Records" or "Financial Records" under 65 P.S. § 67.102. The denial relies on a dangerously narrow interpretation of the law that shields evidence of systemic fraud and international treaty breaches from public oversight.

II. Argument for Disclosure

- 1. Financial Record Classification:** The requested records (specifically Item 3) pertain to the Senator's oversight of the disbursement of public funds and reports of "Fiscal Sabotage" at the municipal level. Under 65 P.S. § 67.102, a "financial record" includes any account or voucher dealing with the "receipt or disbursement of funds by an agency." By processing a formal whistleblower disclosure involving a \$3,500,000 fraud, the Senate staff generated administrative records that directly relate to the fiscal oversight duties of the Senate.
- 2. Standing Committee Oversight:** The disclosure was directed to Senator Santarsiero in his official capacity on the **Senate Judiciary Committee**. 65 P.S. § 67.102 defines a legislative record as any record "relating to a legislative agency or a standing committee." A whistleblower report regarding "Systemic Evidence Suppression" is a functional record of the Judiciary Committee's oversight process, not mere "constituent correspondence."
- 3. Distinction from Cited Case Law:** The agency cites *Couloumbis v. Senate of Pennsylvania (2025)* and *Scolforo*. However, those cases addressed general constituent communications. My request pertains to a **formal whistleblower disclosure** involving specific criminal allegations and treaty breaches (VCCR). These are not "general opinions" or "personal emails"; they are official reports of state and international law violations submitted to a regulatory body.
- 4. Request for In Camera Review:** Given the gravity of the allegations—including the "incineration" of evidence and \$3,500,000 in fraud—I respectfully request that the Appeals Officer conduct an *in camera* review of the responsive records to determine if they contain financial or administrative data that was improperly withheld.

III. Conclusion The international and domestic public interest in exposing the suppression of evidence and the breach of international treaties outweighs the agency's procedural shielding. I request that you vacate the denial and order the immediate release of the requested PDFs.

I am prepared to seek judicial review in the Commonwealth Court of Pennsylvania should this appeal be denied.

Sincerely,

Richard T. Mardoian

Deficiency Letter

MICHAEL GERDES
SECRETARY OF THE SENATE

462 MAIN CAPITOL
HARRISBURG, PA 17120-3053
717-787-5920
FAX: 717-772-2344
E-MAIL: mgerdes@os.pasen.gov



Senate of Pennsylvania

March 31, 2026

Richard T. Mardoian
rmardoian25@gmail.com
VIA EMAIL

RE: Appeal of Mardoian
Senate RTK Appeal 01-2026

Dear Mr. Mardoian:

Upon review of your Right-to-Know Law appeal docketed at the above-referenced docket number, it appears that your appeal is insufficient. Specifically, your appeal, which I received via email on March 30, 2026, did not include a complete copy of your Right-to-Know request. It also did not include a complete copy of the Senate Open Records Officer's response to your request.

These documents are necessary in order to form a complete record upon which to base my determination of your appeal. Furthermore, without this information, we would be unable to provide a complete record on appeal to an appellate court as required by the Right-to-Know Law.

Please submit these documents no later than April 14, 2026. If a complete appeal is not received by that date, this appeal will be dismissed. Please also include your complete contact information, if it is not included in your documentation.

Sincerely,

A handwritten signature in blue ink that reads "Michael Gerdes".

MICHAEL GERDES
Senate Appeals Officer

CC: Jessica P. Rodic, Open Records Officer *via email*