

October 16, 2012

Commonwealth Court of Pennsylvania
Pa. Judicial Center
601 Commonwealth Avenue, Suite 2100
PO Box 69185
Harrisburg PA 17106

RE: Ryan Bagwell v. Commonwealth of Pa, OOR
Office of Open Records No. 2012-1355

Dear Clerk:

The Office of Open Records ("OOR") is improperly listed as an Respondent in the above captioned appeal. *See Commonwealth v. Office of Open Records*, 48 A.3d 503, 506 n.8 (Pa. Commw. Ct. 2012) ("Open Records should not be the named respondent"). The OOR has the discretion under the Right-to-Know Law, 65 P.S. § 1303(a), to determine whether it will respond in actions to review its final determinations. In addition, it has been previously held that the OOR does not have party standing in appeals from final orders it issues, *E. Stroudsburg Univ. Found. v. Office of Open Records*, 995 A.2d 496, 507 (Pa. Commw. Ct. 2010).

On behalf of the Office of Open Records, I am notifying the Court that the OOR rests upon its Final Determination and will not be filing a brief or appearing for argument in the above listed appeal.

Sincerely,



J. Chadwick Schnee, Esquire

cc: File
Ryan Bagwell