



# pennsylvania

OFFICE OF OPEN RECORDS

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: June 20, 2018

REQUEST SUBMITTED BY:       E-MAIL       U.S. MAIL       FAX       IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Luzerne County Solicitor's  
Office, 200 N. River Street, Wilkes-Barre, PA 18711

NAME OF REQUESTER: Derrick Lawrence #CT-5435

STREET ADDRESS: 301 Morea Road

CITY/STATE/COUNTY/ZIP(Required): Frackville, PA 17932

TELEPHONE (Optional): none      EMAIL (optional): none

RECORDS REQUESTED: *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Please see attached Request.

DO YOU WANT COPIES?  YES  NO

DO YOU WANT TO INSPECT THE RECORDS?  YES  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?  YES  NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?  YES  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

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### FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

Mr. D e r r i c k L a w r e n c e  
Inst. No. C T - 5 4 3 5  
301 Morea Road  
Frackville, PA 17932  
JUNE 20, 2018

TO: Luzerne County Solicitor's Office  
200 N. River Street  
Wilkes-Barre, PA 18711

Dear LCSO,

Under the Right-to-Know Law. I request your office to provide me a copy of the following documents:

A document that state and/or explain a Complaint or Misconduct report that was filed against Police officer ROBERT SIMONETTI, on about 1990 to 1995.

A copy of the complaint or Misconduct report that was filed.

A copy of any discipline reports and /or judgement.

Thank you for your time and assistance herein.

Sincerely

  
Derrick Lawrence

C/file

LUZERNE COUNTY  
OFFICE OF LAW  
ROMILDA P. CROCAMO, ESQUIRE  
CHIEF COUNTY SOLICITOR



LUZERNE COUNTY  
COUNTY MANAGER  
C. DAVID PEDRI, ESQUIRE

COUNTY *of* LUZERNE  
P E N N S Y L V A N I A  
ESTABLISHED 1786

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June 27, 2018

Derrick Lawrence  
301 Morea Road  
Frackville, PA 17932  
Email: None

RE: RTK Request # 18-128

Dear Mr. Lawrence:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is Jackie.Carroll@luzernecounty.org.

On June 26, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is denied for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL").

Luzerne County does not maintain the records requested by you, therefore, your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record".

Please contact Wilkes-Barre City located at 40 E. Market Street, Wilkes-Barre, PA 18711. Their phone number is 570-821-1111 and their website is <https://www.wilkes-barre.city/wilkes-barre-city-policedept>.

You have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120.

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

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Very truly yours,



JACQUELINE MUSTO CARROLL, ESQUIRE  
Luzerne County – Open Records Officer