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July 11, 2018

LUZERNE COUNTY 911
100 YOUNG STREET
HANOVER PA 18706


Re: File #LP/89741

Dear Sir or Madam:

Enclosed is a Right to Know Request Form with regard to the above matter.

Thank you.

Very truly yours,


Kimberly D. Borland

KDB/jp
enclosure



pennsylvania

OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: July 11, 2018

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

NAME OF REQUESTOR: Kimberly D. Borland, Esquire

STREET ADDRESS: 69 Public Square, 11th Floor

CITY/STATE/COUNTY (Required): Wilkes-Barre, PA 18701

TELEPHONE (Optional): 570-822-3311

RECORDS REQUESTED: PIAA, 550 Gettysburg Road, Mechanicsburg, PA 17055-0708

**Provide as much specific detail as possible so the agency can identify the information.*

Requesting for the period from July 1, 2018 to present, time response logs from Luzerne County 911 for December 2008 and January and February 2009 with addresses included, i.e., where the units dispatched were headed. If the records may be so sorted, the response may be limited to dispatches to 30 Walnut Street, Wilkes-Barre, PA 18702. We want copies of dispatches to 30 Walnut Street, Wilkes-Barre, Pa 18702, otherwise we want to inspect only.

DO YOU WANT COPIES? YES

DO YOU WANT TO INSPECT THE RECORDS? YES

DO YOU WANT CERTIFIED COPIES OF RECORDS? NO

RIGHT TO KNOW OFFICER:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5)-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.)*



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

July 19, 2018

Kimberly D. Borland, Esquire
Borland & Borland, LLP
11th Fl.
69 Public Square
Wilkes-Barre, PA 18701-2597
Email: kborland@borlandandborland.com
RE: RTK Request # 18-137

Dear Attorney Borland:

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 July 18, 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").

Your request is denied in that the request itself is confusing and not specific enough in order for the agency to determine the exact records you are looking for.

"A written request should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested." 65 P.S. § 67.703. Pursuant to said Right-To-Know Law, your request is overly broad and as such, is denied.

Further, Luzerne County does not maintain any 911 records prior to February of 2012. 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".

Finally, please note that no dispatches were made to 30 Walnut Street, Wilkes-Barre, PA from July 1, 2018 to the present.

You have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4th 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.

Very truly yours,



JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer