



# pennsylvania

OFFICE OF OPEN RECORDS

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: October 2, 2018

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

REQUEST SUBMITTED TO (Agency name & address) Office of the Sheriff  
Luzerne County Courthouse  
200 N. River St., Wilkes-Barre, PA 18711

NAME OF REQUESTER: Timothy Lawrence, #FX-0145

STREET ADDRESS: Smart Communications/PA DOC, PO Box 33028

CITY/STATE/COUNTY/ZIP(Required): St. Petersburg, FL 33733

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*

**See attachment dated October 2, 2018**

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.)*

Smart Communications/PA DOC  
Timothy Lawrence  
#FX-0145, SCI Mahanoy  
PO Box 33028  
St. Petersburg, FL 33733

October 2, 2018

Open Records Officer  
Office of the Sheriff  
Luzerne County Courthouse  
200 N. River Street  
Wilkes-Barre, PA 18711

Re: Open Records Request

Dear Sir or Madam:

Pursuant to Pennsylvania's Open Records Law, 65 P.S. §§67.101-4104, I request your office to provide me with a copy of the following records:

1. A document that identifies the name and the number of each different sale(s) that are held by the Luzerne County Sheriff's Office during a calendar year where it sells properties that are located in Luzerne County;
2. A document that state and explain the criteria as to why certain properties are sold by the the Sheriff's Office; and
3. A document that explain why a certain property would be sold at one particular type of sale and not another sale that are held by the Sheriff's Office, over the course of a calendar year.

If you are unable to answer my request, please refer me to an open records officer who will provide me with the requested information. Thank you in advance for your time and assistance. I'm looking forward to hearing from you soon.

Sincerely,

  
Timothy Lawrence

Cc

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



LUZERNE COUNTY  
COUNTY MANAGER  
C. DAVID PEDRI, ESQUIRE

**C**OUNTY *of* **L**UZERNE  
P E N N S Y L V A N I A  
E S T A B L I S H E D 1 7 8 6

October 12, 2018

Timothy Lawrence  
Smart Communications/PA DOC  
P O Box 33028  
St. Petersburg, FL 33733  
Email: None  
RE: RTK Request # 18-176

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 October 9, 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 granted and denied for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL").

Your request is granted as to a list of Sheriff Sales scheduled for 2018-2019. Each of those sales has a corresponding list of properties to be sold that are available to the public on the Luzerne County website. Please see attached. Also, the link to that list is <http://sheriffsale.luzernecounty.org/sheriff.salelisting/>. The Luzerne County Sheriff does not keep copies of these lists as they are computer generated on demand of the public user.

Your request is denied as to the remainder of the request. The Luzerne County Sheriff's Department does not maintain the records you are seeking and therefore, your request is denied pursuant to Section 705 of the PA Right to Know law which states: "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 the record."

Further, Luzerne County does not conduct legal research on behalf of a requester. You can undertake your own research by searching the Pennsylvania Rules of Civil Procedure, Title 231, Part 1, Chapter 3000-Judgments.

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.

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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,

A handwritten signature in blue ink that reads "Jacqueline Musto Carroll". The signature is written in a cursive style with a large initial "J".

JACQUELINE MUSTO CARROLL, ESQUIRE

Luzerne County – Open Records Officer

**LUZERNE COUNTY  
SHERIFF'S DEPARTMENT**  
Brian M. Szumski, Sheriff



**LUZERNE COUNTY  
COUNTY MANAGER**  
C. DAVID PEDRI, ESQUIRE

**COUNTY of LUZERNE**  
P E N N S Y L V A N I A  
E S T A B L I S H E D 1 7 8 6

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**2018**

**SALE DATE:**

FEBRUARY 2, 2018  
APRIL 6, 2018  
JUNE 1, 2018  
AUGUST 3, 2018  
OCTOBER 5, 2018  
DECEMBER 7, 2018

**FILING DEADLINE:**

NOVEMBER 6-17, 2017  
JANUARY 1-12, 2018  
MARCH 5-16, 2018  
APRIL 30 - MAY 11, 2018  
JULY 2-13, 2018  
SEPTEMBER 3-14, 2018

**2019**

FEBRUARY 8, 2019

NOVEMBER 5-16, 2018

**LUZERNE COUNTY SHERIFF'S DEPARTMENT**  
200 NORTH RIVER STREET  
WILKES-BARRE, PENNSYLVANIA 18711  
FAX (570) 825-1849



**REAL ESTATE DIVISION**  
**Sale Dates and Filing Periods**  
(10 day filing window)

**2019**

FEBRUARY 8, 2019

APRIL 5, 2019

JUNE 7, 2019

AUGUST 2, 2019

OCTOBER 4, 2019

DECEMBER 6, 2019

NOVEMBER 5 - 16, 2018

DECEMBER 31 - JANUARY 11, 2019

MARCH 4 - 15, 2019

APRIL 29 - MAY 10, 2019

JULY 1 - 12, 2019

SEPTEMBER 2 - 14, 2019

**2020**

FEBRUARY 7, 2020

NOVEMBER 4 - 15, 2019