

RTK REQUEST NUMBER _____ DATE RECEIVED 2/23/2021 5 DAY RESPONSE DATE 3/2/2021



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: Budetti Varvara
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 62 South Franklin Street
STREET / P.O. BOX
Wilkes-Barre PA 18701
CITY STATE ZIP CODE

PHONE # 91739212111 FAX# _____

EMAIL ADDRESS: vbudetti@pahomepage.com

SIGNATURE: *V Budetti* DATE: 02/23/2021

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.
Complete list of rejected mail-in ballots cast in Luzerne County for the 2020 general election in a spreadsheet

PLEASE CHECK ONE OF THE FOLLOWING:
 I AM ONLY REQUESTING ACCESS TO THE DOCUMENT(S)
 I AM REQUESTING A HARD COPY OF THE DOCUMENT(S) (PAPER, CD, etc...)
 I AM REQUESTING AN E-FILE OF THE DOCUMENT(S) (IF AVAILABLE) (PDF, EXCEL SPRDSHT, etc...)

PLEASE NOTE: LUZERNE COUNTY IS NOT 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



COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1 7 8 6

Right-To-Know Response Form

Denial

April 1, 2021

Varvara Budetti
Via email only: vbudetti@pahomepage.com
RTK REQUEST: 2021-054

Dear Ms. Budetti,

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. We recently received from you a request for records as described in the attached Right To Know request. Your request is denied for the following reasons, as permitted by Section 705 of the Act.

Cited from the Right To Know Law Section 705:

Section 705. Creation of record.

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.

The Bureau of Elections has advised me they store all of the rejected ballots along with the other elections material that they are required to store by state law for two years; however, they do not create or maintain spreadsheets or other lists of ballots rejected by the Board of Elections.

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 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 the undersigned. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Shannon Crake Lapsansky, Esq.
Interim Open Records Officer
Luzerne County
200 North River Street
Wilkes-Barre, PA 18711
(570)825-1598