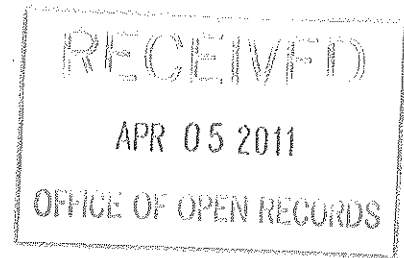


Eddie L. Nalls
FS-5059
c/o SCI-Cresson
P.O. Box A
Cresson, PA 16699-0001



Pro se Appellant

Eddie Nalls, : Pennsylvania Office of Open
Appellant : Records
: :
: : (OOR Dkt App.# 2011-0323)
v. :
: :
Philadelphia Police Department, : No.
Appellee :

NOTICE OF APPEAL

NOTICE is hereby given that, Eddie Nalls, pro se Appellant, appeals to the Court of Common Pleas of Philadelphia County, Pennsylvania from the Office of Open Records denial letter dated 25th day of March, 2011.

A true and correct copy of the denial letter has been attached to the Notice of Appeal. Furthermore, all interested parties have been served with a copy of the notice of appeal.

Respectfully submitted,

A large, stylized handwritten signature in black ink, consisting of several loops and flourishes.

Eddie L. Nalls
FS-5059
c/o SCI-Cresson
P.O. Box A
Cresson, PA 16699-0001

Date: 04/04/11

cc: Christopher R. DiFusco, Esquire
Lucinda Glinn, Esquire
file



March 25, 2011

Via U.S. Mail

Eddie L. Nalls
FS-5059
C/O SCI- Cresson
P.O. Box A
Cresson, PA 16699-0001

Re: AP 2011-0323, *Nalls v. Philadelphia Police Department* ("Police Dept.")

DISMISSED – JURISDICTION

Dear Mr. Nalls:

I write regarding your appeal docketed OOR Dkt. AP 2011-0323. Pursuant to Section 503(d)(2) of the Right-to-Know Law, 65 P.S. §§67.101 *et seq.*, ("RTKL"), the Office of Open Records ("OOR") cannot exercise jurisdiction over your appeal at this time because you seek records that may qualify as criminal investigative records from a local agency. *See* 65 P.S. §67.503(d)(2).

Section 503(d)(2) provides "The appeals officer designated by the district attorney shall determine if the record requested is a criminal investigative record." *Id.*

Accordingly, your appeal is *dismissed* and the OOR shall not issue a decision regarding the record at issue. Any appeal should be directed to the Appeals Officer appointed by the Philadelphia County District Attorney within fifteen business days of the mailing date from the Police Department's response.

This final determination is binding on the parties. Within thirty (30) days of the mailing date of this Determination, either party may appeal to the Philadelphia County Court of Common Pleas. All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules. 65 P.S. §67.1302.

Please disregard any correspondence you receive to the contrary. Thank you.

Very truly yours,


Lucinda Glimm

cc. Christopher R. DiFusco, Esq.