

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF YORK

**Tom Kearney**  
DISTRICT ATTORNEY



RECEIVED

AUG 14 2017

OFFICE OF OPEN RECORDS

YORK COUNTY  
JUDICIAL CENTER  
45 NORTH GEORGE ST.  
YORK, PA. 17401  
(717) 771-9600 Office  
(717) 771-9738 Fax

August 11, 2017

Stanley Bolton  
23 Stoney Lane  
Dover PA 17315

Re: Transferred Appeal- Bolton v. York County DA, OOR Docket AP 2017-1324

Dear Mr. Bolton:

By letter of August 4, 2017 Chief Counsel Charles Rees Brown of the Pennsylvania Office of Open Records transferred a Right to Know Law (RTKL) appeal filed by you to the jurisdiction of this office.

Your request sought various records relating to a forfeiture proceeding and the Attorney representing the District Attorney's office. The Office of Open Records order denied your request in part, dismissed it as moot in part, and transferred your request in part to the jurisdiction of this office.

As Appeals Officer for the Office of the District Attorney, I have reviewed the July 17, 2017 memorandum and accompanying affidavits submitted by Stephanie E. Lombardo, Esq., right to know officer for the office of the District Attorney, together with your request, and the final determination of Jordan Davis Esq. dated August 4, 2017.

It is my opinion that Stephanie E. Lombardo, Esq., right to know officer for the office of the District Attorney has established by a preponderance of the evidence that the records sought are "criminal investigative records" and therefore exempt under Section (b) (16) of the RTKL.

Yours sincerely,

A handwritten signature in black ink that reads "Tom Kearney".

Tom Kearney  
District Attorney

Cc: Jordan Davis Esq.  
Charles Rees Brown Esq.  
Stephanie Lombardo Esq.  
Andrew Bolton