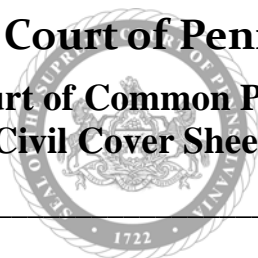


# Supreme Court of Pennsylvania

## Court of Common Pleas Civil Cover Sheet



County

For Prothonotary Use Only:

Docket No:

TIME STAMP

*The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.*

SECTION A

### Commencement of Action:

- ☐ Complaint ☐ Writ of Summons ☐ Petition  
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

Lead Defendant's Name:

Are money damages requested? ☐ Yes ☐ No

Dollar Amount Requested: ☐ within arbitration limits  
(check one) ☐ outside arbitration limits

Is this a *Class Action Suit*? ☐ Yes ☐ No

Is this an *MDJ Appeal*? ☐ Yes ☐ No

Name of Plaintiff/Appellant's Attorney: \_\_\_\_\_

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

**Nature of the Case:** Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

### TORT (do not include Mass Tort)

- ☐ Intentional  
☐ Malicious Prosecution  
☐ Motor Vehicle  
☐ Nuisance  
☐ Premises Liability  
☐ Product Liability (does not include mass tort)  
☐ Slander/Libel/ Defamation  
☐ Other: \_\_\_\_\_

### MASS TORT

- ☐ Asbestos  
☐ Tobacco  
☐ Toxic Tort - DES  
☐ Toxic Tort - Implant  
☐ Toxic Waste  
☐ Other: \_\_\_\_\_

### PROFESSIONAL LIABILITY

- ☐ Dental  
☐ Legal  
☐ Medical  
☐ Other Professional: \_\_\_\_\_

### CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff  
☐ Debt Collection: Credit Card  
☐ Debt Collection: Other  
\_\_\_\_\_  
\_\_\_\_\_  
☐ Employment Dispute:  
Discrimination  
☐ Employment Dispute: Other  
\_\_\_\_\_  
\_\_\_\_\_  
☐ Other: \_\_\_\_\_

### REAL PROPERTY

- ☐ Ejectment  
☐ Eminent Domain/Condemnation  
☐ Ground Rent  
☐ Landlord/Tenant Dispute  
☐ Mortgage Foreclosure: Residential  
☐ Mortgage Foreclosure: Commercial  
☐ Partition  
☐ Quiet Title  
☐ Other: \_\_\_\_\_

### CIVIL APPEALS

- Administrative Agencies  
☐ Board of Assessment  
☐ Board of Elections  
☐ Dept. of Transportation  
☐ Statutory Appeal: Other  
\_\_\_\_\_  
\_\_\_\_\_  
☐ Zoning Board  
☐ Other: \_\_\_\_\_

### MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration  
☐ Declaratory Judgment  
☐ Mandamus  
☐ Non-Domestic Relations  
Restraining Order  
☐ Quo Warranto  
☐ Replevin  
☐ Other: \_\_\_\_\_

THE TRIBUNE-DEMOCRAT,  
Petitioner

v.

CITY OF JOHNSTOWN,  
Respondent

\* IN THE COURT OF COMMON PLEAS  
\* OF CAMBRIA COUNTY, PA  
\*

\* CIVIL ACTION – LAW  
\* ACTION IN \_\_\_\_\_  
\* FOR TRIAL  
\*

\* TYPE OF PLEADING: PETITION FOR  
\* REVIEW UNDER ACT 22 OF 2017  
\*

COUNSEL FOR TRIBUNE-  
DEMOCRAT

\*  
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### **NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by your attorney, and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you, and a judgment may be entered against you by the court, without further notice, for any money claimed in the Complaint, or of any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Laurel Legal Services, Inc.  
227 Franklin Street Suite  
400 Johnstown, PA 15901  
Telephone: (814) 536-8917  
Facsimile: (814) 535-3377

THE TRIBUNE-DEMOCRAT,	*	IN THE COURT OF COMMON
		PLEAS
Petitioner	*	OF CAMBRIA COUNTY, PA
	*	
v.	*	CIVIL ACTION – LAW
	*	
CITY OF JOHNSTOWN,	*	No. _____
	*	
Respondent	*	
	*	TYPE OF PLEADING:
		PETITION FOR
	*	REVIEW UNDER ACT 22 OF 2017

### VERIFIED PETITION FOR REVIEW

The Tribune-Democrat (“Petitioner”) hereby files this Petition for Review under Act 22 of 2017, 42 Pa.C.S.A. § 67A01 *et seq.* (“Act 22”), which permits any member of the public or the press to request video and audio recordings created by law enforcement agencies and further allows a right of appeal in the event access is denied. In support of its appeal, Petitioner avers as follows:

### PARTIES

1. Petitioner The Tribune-Democrat is a five-day morning daily newspaper published in Johnstown, Pennsylvania. The newspaper’s coverage area includes all or parts of Blair, Bedford, Cambria, Indiana, Somerset and Westmoreland counties. Its headquarters are in Johnstown, Pennsylvania. On July 3, 2025, Dave Sutor, in his capacity as a reporter for The Tribune-Democrat, hand-delivered an Act 22 request to Johnstown City Hall (the “Request”).

2. Respondent City of Johnstown (the “City”) is the entity that denied Petitioner’s request for body-worn camera and dashboard camera footage. The City

of Johnstown's Office of Open Records' address is 401 Main Street, Johnstown, PA 15901.

### **JURISDICTION**

3. Petitioner and Respondent are located within Cambria County; the incident giving rise to the requested body camera and dashboard camera footage occurred in Cambria County; therefore, the Court has jurisdiction over this matter. *See* 42 Pa.C.S.A. § 67A06(a)(1) (providing right of appeal to Court of Common Pleas).

### **STATEMENT OF FACTS**

4. Early on June 15, 2025, an individual shot and wounded four women outside a nightclub in Johnstown. *See, e.g.,* Emily Marines, *DA: 3 of 4 Johnstown nightclub shooting victims released from hospital*, WJAC (June 18, 2025), <http://bit.ly/45iQCiX>. All four women subsequently went to Conemaugh Memorial Medical Center. Dave Sutor, *Johnstown police: Four women shot outside West End nightclub, person of interest sought*, Tribune-Democrat (June 16, 2026), <https://perma.cc/NM97-P6SD>.

5. Following the shooting, Johnstown City Council members hosted a meeting at the Kastle Boxing gym to hear the community's concerns about the police's response to the shooting. Jordan Mansberger, *Victim of Johnstown nightclub shooting speaks out as community members seek answers*, WTAJ (June 19, 2025), <http://bit.ly/3HC4ETE>.

6. Specifically, community members raised concerns that no ambulances or EMS workers ever arrived at the scene, leaving the four victims to find other ways to the hospital. *Id.*

7. Johnstown Police Chief Mark Britton remarked at the community gathering that one police officer did take one of the victims to the hospital; another victim tried to drive herself but got into a car accident on her way. Britton noted that he was investigating why other first responders hadn't arrived on scene. *Id.*

8. On July 3, 2025, eighteen days after the incident, Dave Sutor ("Sutor") hand-delivered the Act 22 Request for body camera and dashboard camera footage capturing the incident to the Johnstown City Hall at 401 Main St #102, Johnstown, Pennsylvania, 15901. *See Law Enforcement Request Form – Act 22 of 2017*, attached as Exhibit A.

9. There, the receptionist in receipt of the Act 22 Request appeared uncertain and treated the Act 22 Request like a Right to Know Law, 65 P.S. § 67.101 *et seq.* ("RTKL"), request. That same day, the City invoked a 30-day extension to respond (a delay permitted in a RTKL matter, but not in an Act 22 case).

10. On July 29, 2025, the City of Johnstown denied Sutor's Act 22 Request via letter, attached as Exhibit B. The denial cited the incorrect law—i.e., the RTKL, 65 P.S. § 67.101 *et seq.*—not Act 22. The City of Johnstown's denial also provided no basis therefor, simply stating that the request was denied under the general RTKL provision permitting withholding of records "relating to or resulting in a criminal investigation," 65 Pa. Stat. Ann. § 67.708(b)(16). *See Ex. B.*

11. To date, Respondent has not fulfilled Petitioner’s Act 22 Request for body worn camera footage depicting the referenced incident.

### **ARGUMENT**

12. Petitioner incorporates by reference the foregoing paragraphs as if fully set forth herein.

13. Act 22 provides a statutory right of access by which the public may request and review police body camera footage to foster accountability and public trust in law enforcement. *See generally* 42 Pa.C.S.A. § 67A01 *et seq.*; *see also* Press Release, Commonwealth of Pennsylvania, *The Shapiro Administration Announces Pennsylvania Capitol Police Fully Implement Body Camera Technology* (Mar. 13, 2023), <https://perma.cc/E8VA-3HF4> (discussing how body cameras “add[] another layer of transparency, accountability, and safety for both the public and our officers”); Press Release, Governor Tom Wolf, *Wolf Administration Receives Federal Grant for State Police Body-Worn Camera Pilot Program* (July 7, 2017), <https://perma.cc/982V-UCC9> (“[B]ody-worn cameras strengthen police accountability, prevent confrontational situations, and improve evidence documentation.”); Pa. S. Leg. J., 201st Gen. Assemb. 449, 461 (May 9, 2017), <https://perma.cc/99TE-HBT9> (“[W]e want to become more open and transparent with respect to body cameras as we move forward.” (statement of Senator Costa)).

14. Pursuant to 42 Pa.C.S.A. § 67A06(e), this Court should grant this Petition and order disclosure of the requested footage because the evidence will establish by a preponderance of the evidence that:

- i. Respondent's denial was arbitrary and capricious; and
- ii. The public interest in disclosure or the interest of Petitioner outweighs the interests of law enforcement or an individual's interest in nondisclosure.

15. "A preponderance of the evidence standard, the lowest evidentiary standard, is tantamount to a more likely than not inquiry." *Carey v. Pa. Dep't of Corr.*, 61 A.3d 367, 374 (Pa. Commw. Ct. 2013) (citation omitted), *supplemented*, No. 1348 C.D. 2012, 2013 WL 3357733 (Pa. Commw. Ct. July 3, 2013).

**I. Respondent's Denial of Access Was Arbitrary and Capricious**

16. Administrative action is "arbitrary and capricious where it is unsupportable on any rational basis because there is no evidence upon which the action may be logically based." *Cary v. Bureau of Pro. & Occupational Affs.*, 153 A.3d 1205, 1210 (Pa. Commw. Ct. 2017) (citation omitted).

17. The United States Supreme Court has summarized the arbitrary and capricious standard as follows:

[T]he agency must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made. In reviewing that explanation, [a court] must consider whether the decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment.

*Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983)  
(cleaned up).

18. Here, based on the facts of the case, it is “more likely than not” that Respondent’s denial of access was arbitrary and capricious. *Carey*, 61 A.3d at 374.

19. Per section 67A04(a) of the Act, a law enforcement entity may deny an Act 22 request *only* if the relevant audio or video footage “contains potential evidence in a criminal matter, information pertaining to an investigation or a matter in which a criminal charge has been filed, confidential information[,] or victim information[,] and the reasonable redaction of the audio or video recording would not safeguard” said evidence or information. 42 Pa.C.S.A. § 67A04(a).

20. Here, Respondent has not asserted or pointed to any evidence suggesting that the requested footage is exempt for investigative or evidentiary purposes, as it has not even cited to the correct statutory provision in denying the Request. Further still, Respondent’s denial is quintessentially boilerplate in nature, *see* Ex. B, evincing a denial that was issued in a wholly perfunctory manner, *see id.*

21. Critically, community members have stated there was minimal or no police presence at the scene of the shooting, substantially diminishing the likelihood that the City possesses any footage containing potential evidence; moreover, taking Chief Britton’s statement as true that a City officer did take one of the victims to the hospital, footage capturing that interaction would likewise not contain potential evidence as, upon information and belief, a significant amount of time passed between the perpetrator’s shooting and the arrival of law enforcement.

22. There also need not be any “confidential information or victim information” in the requested records rendering them exempt from disclosure. That



is because Commonwealth agencies are required to redact video footage responsive to a request for public records that might contain a depiction of a third party bearing a privacy interest. *See Cent. Dauphin Sch. Dist. v. Hawkins*, 286 A.3d 726, 742–43 (Pa. 2022) (rejecting agency official’s averment that it lacked capacity to redact school bus surveillance footage in accordance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g; ordering redaction of minors’ faces and disclosure of the non-exempt portions of government records).<sup>1</sup> Thus, to the extent Respondent denied the Act 22 request on the basis that disclosure would reveal “confidential information or victim information” regarding one or any of the victims, such information can be redacted via facial blurring and/or other redactions.

23. On information and belief, following such redactions, the only remaining persons seen or heard in the requested footage would be the arresting officers—public officials who openly display their identities on their badges for the principal purpose of fostering oversight of their on-duty conduct; their identities are not “confidential” within the meaning of the Act. *Cf.* 65 P.S. § 67.708(b)(6) (mandating public access to names and job titles of public employees (except officers operating undercover)); *Fields v. City of Philadelphia*, 862 F.3d 353, 359 (3d Cir. 2017) (“[R]ecording police activity in public falls squarely within the First Amendment right of access to information.”). For these reasons, too, Respondent’s continued withholding of the requested footage on the basis that it may contain confidential or victim information

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<sup>1</sup> Because “[s]tatutes *in pari materia* shall be construed together ... as one statute,” 1 Pa. C.S.A. § 1932, the directive in the Right to Know Law, 65 P.S. § 67.706, to produce with redactions as opposed to withholding wholesale applies to the Act 22 request in this case, too.

is arbitrary and capricious. *See generally Meko v. City of Lancaster*, No. CI-21-00277 (Lancaster Cnty. Ct. Com. Pl.) (Pursuant to a negotiated settlement agreement between the parties, Respondent in this case redacted and released footage in another Act 22 matter).

**II. The Public Interest in Disclosure Outweighs Any Countervailing Interests in Nondisclosure**

24. The public interest in disclosure of the requested footage, and/or the interest of Petitioner, outweighs the interests of Respondent and/or an individual's interest in nondisclosure.

25. In making its public interest determination, this Court may consider:

- i. “the public’s interest in understanding how law enforcement officers interact with the public,”
- ii. “the interests of crime victims, law enforcement and others with respect to safety and privacy,” and
- iii. “the resources available to review and disclose the audio recording or video recording.”

42 Pa.S.C.A. § 67A06(e)(2).

26. Here, all of these statutory factors weigh in favor of disclosure.

27. **First**, there is significant public interest in the circumstances surrounding the June 15, 2025 law enforcement response to the shooting at Vybe Nightclub. In addition to Petitioner The Tribune-Democrat’s coverage of this incident, *see supra* ¶ 4; *infra* ¶ 30, numerous news outlets throughout Pennsylvania analyzed and reported on the lack of timely police presence in conjunction with a

history of racial tension in the City. *See, e.g., supra* ¶ 4–5; *see also Arrest Made In Johnstown West End Shooting*, Fox8 (June 24, 2025), <http://bit.ly/47yzCXj>.

28. This coverage stems from the public’s profound interest in better understanding law enforcement officers’ interactions with their communities—especially poor communities and communities of color. Justice Brennan recognized half a century ago that, members of the news media may “guard[] against the miscarriage of justice by subjecting the police, prosecutors, and judicial processes . . . to the cleansing effects of exposure and public accountability.” *Neb. Press Ass’n v. Stuart*, 427 U.S. 539, 587 (1976) (Brennan, J., concurring). Indeed, “[c]ommentary and reporting on the criminal justice system”—in which police officers play a central role—“is at the core of First Amendment values, for the operation and integrity of that system is of crucial import to citizens concerned with the administration of government.” *Id.* at 587.

29. These principles are echoed today by communities and governments in Pennsylvania and beyond, particularly in light of renewed calls for meaningful oversight of law enforcement—and in the wake of police killings, such as the murder of George Floyd by Minneapolis police officers in 2020. *See, e.g.,* Commw. of Pa., Governor’s Office, Exec. Order No. 2020-04 (Apr. 30, 2021), <https://perma.cc/BL5L-U3DC> (affirming that “the Commonwealth must take action to . . . strengthen accountability of law enforcement personnel” and “identify[] necessary system-level reforms to promote transparency”); *PNA Testimony Before Senate Judiciary Committee on Body Camera Footage/Legislation*, Pa. NewsMedia Ass’n at 1 (Apr. 28,

2015), <https://perma.cc/4BUQ-SM6H> (advocating that “[b]ody camera footage of suspects being approached, detained or placed under arrest, including footage that depicts the interaction between officers and the subject of the police action, must be presumptively public, in order to provide accurate, fair information about the circumstances that led to the incident at issue”).

30. The information available to date about the June 15, 2025 incident leaves many important questions unanswered. For instance, one of the members at the community gathering discussed *supra* “said she believed the way JPD officers responded to the victims . . . was ‘deplorable.’” Dave Sutor, *‘I don’t feel safe’: No arrests yet in West End shooting; police, EMS response questioned at wide-ranging forum*, Tribune-Democrat (June 19, 2025), <http://bit.ly/4mFXIUl>. Any footage processed and released in response to the Act 22 Request can help shed light on why community members may feel this way, or offer a different perspective on the law enforcement response.

31. In sum, access to the requested footage will give the public, the press, and police departments across the country attempting to be more responsive to the communities they serve a better understanding of the circumstances surrounding the City’s responsiveness—or lack thereof.

32. ***Second***, any “interests of crime victims, law enforcement and others with respect to safety and privacy,” 42 Pa.S.C.A. § 67A06(e)(2), would not be harmed from disclosure of the requested footage. As an initial matter, the City has never asserted that these interests outweigh the public’s interest in disclosure. *See* Ex. B

(citing to incorrect law in denying the Request). Further, at least one of the victims has publicly spoken about the incident on local news channel WJACTV. *See One victim of Johnstown nightclub shooting speaks out as community shares concerns*, WJACTV, YouTube (June 19, 2025), <https://www.youtube.com/watch?v=mSsejgrd8CI>. Finally, while Act 22 contains no notice provision requiring the City to notify referenced third parties of forthcoming disclosure of public records, it may, of course, choose to do so.

33. With respect to the interests of law enforcement personnel—the remaining persons seen or heard in the requested footage once appropriate redaction and blurring is performed—these are public officials who openly display their identities on their badges for the purpose of fostering oversight of their on-duty conduct; their identities are not “confidential” within the meaning of the Act. *Cf.* 65 P.S. § 67.708(b)(6) (mandating public access to names and job titles of public employees (except officers operating undercover)); *Fields*, 862 F.3d at 359 (“[R]ecording police activity in public falls squarely within the First Amendment right of access to information.”).

34. **Third**, the City of Johnstown Open Records Office has “the resources available to review and disclose the audio recording or video recording.” 42 Pa.S.C.A. § 67A06(e)(2).

35. Agencies in Pennsylvania routinely release body camera footage proactively or in response to an Act 22 request. For instance, in the wake of massive public outcry over the fatal police shooting of a 27-year-old Lancaster man, Lancaster

police released footage from the officers' body cameras. See Lori Burkholder, *Lancaster Police video: Man Fatally Shot Ran at Officer While Holding Knife*, WGAL8 (Sept. 14, 2020), <https://perma.cc/2ZVS-LBH2>. Similarly, police in Philadelphia, in consultation with the elected District Attorney, released body camera footage showing the death of a man at the hands of law enforcement. Max Marin, *'Shoot Him': Body Camera Footage Shows Officers Who Shot and Killed Walter Wallace Jr.*, WHYY (Nov. 4, 2020), <https://perma.cc/CG6N-A5FL>. In Lancaster County, an Act 22 matter was dismissed after the City of Lancaster agreed to produce more than 16 hours of footage depicting law enforcement clashes with protesters. Notice of Voluntary Dismissal, *Meko v. LNP Media Grp. & City of Lancaster*, No. CI-21-00277 (Lancaster Cnty. Ct. Com. Pl. Oct. 4, 2021), <https://www.rcfp.org/wp-content/uploads/2021/01/time-stamped-voluntary-notice.pdf>. And in Cumberland County, another Act 22 matter was dismissed after the Cumberland County District Attorney agreed to permit Patriot-News/PennLive reporter Charles Thompson to view body camera footage of the fatal police shooting of Roger Wayne Ellis. See Notice of Voluntary Dismissal, *Thompson v. Cumberland County*, No. 2022-3057 (Cumberland Cnty. Ct. Com. Pl. July 28, 2022), <https://www.rcfp.org/litigation/thompson-v-cumberland-county/>.

36. Indeed, modern technology renders release of the audio and video footage Petitioners seek here—along with any necessary redaction or blurring—routine and straightforward. For instance, a Lancaster County reporter's Act 22 request was fulfilled by a local police department within five days of submission of

the request. Carter Walker, *Lancaster County President Judge at Traffic Stop: ‘You Better Check the Registration on This Plate Soon’ [Video]*, LancasterOnline (June 16, 2019), <https://perma.cc/8GKB-Q5AZ>. In Harrisburg, law enforcement released video of an incident involving police interacting with a community activist within days of a request. See Christine Vendel, *Police Release Body Cam Video of Harrisburg Activist’s Arrest After She Calls for Officer to be Fired*, PennLive (Nov. 12, 2020), <https://perma.cc/U5AP-TCWH>.

37. Relatedly, courts across the country have recognized that in lieu of “categorically ban[ning] disclosure of all investigatory” records, agencies need only employ “ways to limit rather than wholly exclude the release of the records sought so as to address any reasonable concerns,” such as “blurring portions of video that show [witnesses’] faces, and possibly altering their voices,” *Courier-J., Inc. v. Shively Police Dep’t*, No. 2021-CA-1120-MR, 2022 WL 16842295, at \*7 (Ky. Ct. App. Nov. 10, 2022) (involving request by a Kentucky newspaper); see also *Stahl v. Dep’t of Just.*, No. 19-CV-4142 (BMC), 2021 WL 1163154, at \*7 (E.D.N.Y. Mar. 26, 2021) (opining that editing of audio-visual material to satisfy public records requests “is routine and inexpensive, an agency cannot credibly claim that it lacks access to this technology”).

38. So too here. Accordingly, Respondent should disclose the requested footage, with any necessary redactions, per the clear tenets of Act 22.

WHEREFORE, Petitioner asks this Honorable Court to:

1. Grant this Petition for Review and order access to the requested records;

or

2. In the alternative, grant this Petition for Review and establish a briefing schedule or set a date for an evidentiary hearing; and,
3. Grant such other relief as may be appropriate.

Respectfully submitted,

Dated: August 28, 2025

/s/ Paula Knudsen Burke

Paula Knudsen Burke  
REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS

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Lancaster, PA 17608

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*Counsel for Petitioner*



### VERIFICATION

I, Chip Minemyer, hereby state that the facts above set forth in the Petition for Review are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signed:



Dated:



## **CERTIFICATE OF COMPLIANCE WITH PUBLIC ACCESS POLICY**

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Paula Knudsen Burke

Signature:

/s/ Paula Knudsen Burke

Attorney No.: 87607

### **CERTIFICATE OF SERVICE**

Pursuant to 42 Pa.C.S. § 67A06(b)(4), I hereby certify that this Petition and its attachments are served upon the Respondent by hand-delivery.

Lavona Smith  
Open Records Officer  
City of Johnstown  
401 Main Street  
Johnstown, PA 15901  
Lsmith@johnstownpa.gov

Submitted by: Paula Knudsen Burke

Signature:

*/s/ Paula Knudsen Burke*

Attorney No.: 87607