



## CITY OF DUBOIS, PENNSYLVANIA

PO BOX 408 16 W. SCRIBNER AVE. DUBOIS, PENNSYLVANIA 15801

TELEPHONE: 814-371-2000

FAX: 814-371-1290

### PUBLIC RECORD REVIEW/DUPLICATION REQUEST

Print Legibly, unreadable requests cannot be processed.

Requester's Name: JUDITH SUPLIZIO Date of Request: 10-14-24

Requester's Address: 314 HAMOR STREET

DUBOIS, PA. 15801

Requester's Telephone No. [REDACTED] Fax No. \_\_\_\_\_

I request: Review  Duplication  (Check applicable Box) of the following

records:

**IMPORTANT:** You must identify or describe the records with sufficient specificity to enable the City of DuBois to determine which records are being requested. Use additional sheets if necessary. A fee of .25¢ per page will be charged for duplication services.

A complete formalized CITY OF DUBOIS Listing/Record review of all money actually missing or not accounted for from any city account or fund for the period 2008 thru 2023 inclusive.

JUDITH SUPLIZIO

Signature of Requester

**This request may be submitted in Person, by Mail to:**

Shawn Arbaugh, City Manager

City of DuBois

16 W. Scribner Ave

PO Box 408

DuBois, PA 15801

By Fax: (814) 371-1290 (or) By Email: [info@duboispa.gov](mailto:info@duboispa.gov)



## CITY OF DuBOIS, PENNSYLVANIA

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P.O. BOX 408

16 W. SCRIBNER AVE.

DuBOIS, PENNSYLVANIA 15801

TELEPHONE: (814)371-2000

FAX: (814)371-1290

October 18, 2024

Ms. Judy Suplizio  
314 Hamor Street  
DuBois, PA 15801

Dear Ms. Suplizio,

Thank you for writing the City of DuBois with your request for information pursuant to the Pennsylvania Right-To-Know law.

On October 14, 2024, you requested a complete formalized City of DuBois Listing/Record review of all money actually missing or not accounted for from any city account or fund for the period 2008 thru 2023 inclusive.

Pursuant to Section 902(a) of the Right to Know Law, the City of DuBois requires an additional 30 days to respond to the request:

- A timely response to the request cannot be accomplished due to bona fide and specified staffing limitations.

The City of DuBois expects to respond to your request on or before November 15, 2024.

Respectfully,

Shawn Arbaugh  
City Manager  
City of DuBois, Clearfield County

*"Gateway To Big Game Country"*

DILLON McCANDLESS KING COULTER & GRAHAM L.L.P.  
ATTORNEYS AT LAW

RONALD N. REPAK, PARTNER  
MATHEW P. GIEG, ESQUIRE

313 WEST HIGH STREET,  
SUITE 209  
EBENSBURG, PA 15931  
PHONE: (814) 478-2220

OTHER OFFICES:  
BUTLER OFFICE:  
128 WEST CUNNINGHAM ST.  
BUTLER, PA 16001  
PHONE: (724) 283-2200

CRANBERRY OFFICE:  
600 CRANBERRY WOODS DR.,  
SUITE 175  
CRANBERRY TWP., PA 16066  
PHONE: (724) 776-6644

November 12, 2024

Judith Suplizio  
314 Hamor Street  
DuBois, PA 15801

Via email only: 

Re: Right-to-Know Request dated October 18, 2024

Dear Ms. Suplizio,

This office represents the City of DuBois ("the City"). This letter is a written response to the right-to-know request you filed with the City dated October 14, 2024. Your request seeks *review* of the following alleged public records:

"A complete formalized CITY OF DUBOIS Listing/Record review of all money actually missing or not accounted for from any city account or fund for the period 2008 thru 2023 inclusive".

Section 705 of the Pennsylvania Right-to-Know Law ("RTKL"), Act of February 14, 2008, P.L. 6, 65 P.S. § 67.101-67.3104, provides that "[w]hen responding to a request for access, an agency shall not be required to create a record which does not currently exist . . . ."

As evidenced in the affidavit signed by Shawn Arbaugh, City Manager for the City of DuBois, no "Listing/Record review of all money actually missing or not accounted for from any city account or fund for the period 2008 thru 2023

DILLON MCCANDLESS KING COULTER & GRAHAM L.L.P.

inclusive" exists. The affidavit of Shawn Arbaugh, City Manager, is attached hereto, made a part hereof, incorporated fully herein, and marked Exhibit A. Accordingly, the request is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew P. Gieg", written over a circular scribble.

Matthew P. Gieg, Esquire

Cc: City of DuBois

### Affidavit

I, Shawn Arbaugh ("Affiant"), being duly sworn according to law, depose, state, and verify that I am the acting City Manager for the City of DuBois, Clearfield County, Pennsylvania, and that I am authorized to make this Affidavit on behalf of the City of DuBois in my capacity as City Manager for the City of DuBois. As Affiant, I am submitting this Affidavit to verify certain facts contained in the City of DuBois' written response to the right-to-know request of Judith Suplizio dated October 14, 2024.

Regarding the right-to-know request of Judith Suplizio at issue in this matter, I hereby depose, state, and verify as follows:

- That I reviewed the right-to-know request with Matthew P. Gieg, Esquire, of Dillon McCandless King Coulter & Graham L.L.P., assistant solicitor for the City of DuBois;
- That the documents requested in said right-to-know request do not exist;
- That, based upon the fact that the records requested do not exist, the determination was made to deny the request in its entirety;
- That, as of the date of this affidavit, there is an ongoing criminal investigation concerning the theft, embezzlement, and conversion of public funds of which the City of DuBois was the legal and rightful owner;
- That the determination of the source and amount of public funds "missing" is unknown to the City of DuBois due to the fact that the matter is being investigated by the United States Attorney's Office; and
- That the legal analysis, facts, and determination to deny the subject right-to-know request set forth in the written submission of Matthew P. Gieg, Esquire,

" Exhibit A "

on behalf of the City of DuBois, is based upon my verified statements made herein.



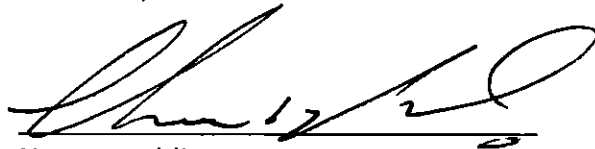
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Shawn Arbaugh  
City Manager  
City of DuBois, Clearfield County, PA

COMMONWEALTH OF PENNSYLVANIA : SS  
COUNTY OF CLEARFIELD :

On this, the 12 day of Nov., 2024, before me, a Notary Public, the undersigned officer, personally appeared Shawn Arbaugh, City Manager for the City of DuBois, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Affidavit, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



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Notary Public

My Commission Expires:

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| Commonwealth of Pennsylvania - Notary Seal<br>Thomas M. Nowak Jr., Notary Public<br>DuBois City, Clearfield County<br>My Commission Expires: November 29, 2026<br>Commission Number: 1259192 |
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