

**[J-45-2015] [MO: Baer, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

ERIK ARNESON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR OF THE OFFICE OF OPEN RECORDS, AND SENATE MAJORITY CAUCUS : No. 51 MAP 2015
: :
: Appeal from the Order of the
: Commonwealth Court at No. 35 MD
: 2015 dated June 10, 2015

v.

ARGUED: September 9, 2015

THOMAS W. WOLF, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, AND OFFICE OF OPEN RECORDS

APPEAL OF: THOMAS W. WOLF, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA AND DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

DISSENTING OPINION

MADAME JUSTICE TODD

DECIDED: October 27, 2015

For the reasons ably expressed by President Judge Pellegrini in his dissent below, see Arneson v. Wolf, 117 A.3d 374 (Pa. Cmwlth. 2015) (Pellegrini, P.J., dissenting), I conclude Governor Wolf acted within his constitutional authority in removing the Executive Director of the Office of Open Records, and so I would reverse the order of the Commonwealth Court. Accordingly, I dissent.