

**[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.

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

ARGUED: September 9, 2015

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.