



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Action Pending in Superior Court

GRC Complaint No.: 2008-01

Complainant: Michael N. Bright

Custodian: Essex County Prosecutor's Office- Gary Bogdanski

Date of Request: December 6, 2007

Date of Complaint: December 20, 2007

Complaint Disposition: The Complainant has affirmatively asserted on the Denial of Access Complaint form that he/she has also instituted an action in Superior Court regarding the denial of access at issue in the complaint also filed with the Government Records Council.

Applicable OPRA Provision: "A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may: institute a proceeding to challenge the custodian's decision by filing an action in Superior Court ...; *or in lieu of filing an action in Superior Court*, file a complaint with the Government Records Council ..." (Emphasis added). N.J.S.A. 47:1A-6.

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk's Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: January 30, 2008

Prepared By:

Tiffany L. Mayers
Case Manager

Approved By:

Catherine Starghill, Esq.
Executive Director

Date: January 23, 2008

Distribution Date: January 30, 2008