



**NEW JERSEY GOVERNMENT RECORDS COUNCIL**  
**Administrative Complaint Disposition – No Correspondence Received by the Custodian**  
**Regarding This Request**

**Steven J. Kossup, Esq. (on behalf of Linda Mikson)<sup>1</sup>**  
**Complainant**

**GRC Complaint No. 2014-299**

v.

**New Jersey State Police<sup>2</sup>**  
**Custodial Agency**

**Custodian of Record:** Marco Rodriguez  
**Request Received by Custodian:** None  
**GRC Complaint Received:** August 25, 2014

**Complaint Disposition:** The Custodian certifies that he did not receive a records request, dated July 25, 2014, from the Complainant. Although the agency's OPRA request form clearly set forth the proper mailing address for the Custodian, the Complainant provided proof that he instead mailed the request to the wrong address in the wrong county on two different occasions. Additionally, the Complainant failed to provide credible evidence to contradict the Custodian's certification. Therefore, the complaint is without any reasonable factual basis to pursue.

**Applicable OPRA Provision:** "A request for access to a government record shall be in writing and hand-delivered, mailed, transmitted electronically, or otherwise conveyed *to the appropriate custodian.*" N.J.S.A. 47:1A-5(g) (emphasis added).

"The council shall make a determination as to whether the complaint is within its jurisdiction or frivolous or *without any reasonable factual basis.*" N.J.S.A. 47:1A-7(e) (emphasis added).

**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:** September 29, 2015

Prepared By: Ernest Bongiovanni  
Staff Attorney

<sup>1</sup> No legal representation listed on record.

<sup>2</sup> Represented by Deputy Attorney General Adam Robert Gibbons.



Approved By: Dawn R. SanFilippo  
Deputy Executive Director

Date: September 22, 2015

**Distribution Date: September 30, 2015**