



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – Pending Action in Superior Court Regarding the Records Request Subject of this Complaint

GRC Complaint No.: 2008-23

Complainant: Victor Lopez-Rodriguez

Custodian: Passaic County Prosecutor's Office – Steven E. Braun

Date of Request: January 4, 2008

Date of Complaint: January 23, 2008

Complaint Disposition: The Complainant filed an action in the Appellate Division of Superior Court on February 20, 2008, regarding access to the records which are at issue in the complaint filed with the Government Records Council.

Applicable OPRA Provision: OPRA provides that:

“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: March 26, 2008

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Executive Director

Date: March 19, 2008

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