



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

GRC Complaint No.: 2008-84

Complainant: Emory M. Ghana

Custodian: NJ Department of Law & Public Safety, Division of State Police – Gregory Shawaryn

Date of Request: March 10, 2008

Date of Complaint: May 11, 2008

Complaint Disposition: In a certification to the GRC dated June 18, 2008, the Custodian certified that he received the Complainant's OPRA request on March 31, 2008. The Custodian also certified that he provided the Complainant with a written response on the same date he received such request in which the Custodian indicated that no records responsive to the Complainant's request exist. Additionally, the Complainant has failed to provide any evidence to contradict the Custodian's certification.

Applicable OPRA Provision: OPRA defines a government record as:

"... any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been *made, maintained or kept on file* ... or *that has been received* in the course of his or its official business ..."
(Emphasis added.) N.J.S.A. 47:1A-1.1.

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: June 25, 2008

Prepared By:

Dara Lownie
Senior Case Manager

Approved By:

Catherine Starghill, Esq.
Executive Director

Date: June 18, 2008

Distribution Date: June 30, 2008