



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No records responsive to the request exist

GRC Complaint No.: 2009-115

Complainant: Russell Tinsley

Custodian: New Jersey Department of Corrections, Michelle Hammel

Date of Request: February 27, 2009

Date of Complaint: April 9, 2009¹

Complaint Disposition: The Custodian certifies that she responded to the Complainant's OPRA request in writing within the statutorily mandated response time indicating that no records responsive to the OPRA 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 11, 2009

Prepared By: Elizabeth Ziegler-Sears, Esq.
Case Manager/Staff Attorney

Approved By: Catherine Starghill, Esq.
Executive Director

Date: May 20, 2009

Distribution Date: June 12, 2009

¹ The GRC received the Denial of Access Complaint on said date.