



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist.

GRC Complaint No.: 2009-241

Complainant: Rashaun Barkley

Custodian: Essex County Prosecutor's Office, Hilary L. Brunell

Date of Request: July 27, 2009

Date of Complaint: August 14, 2009¹

Complaint Disposition: The Custodian certifies that she responded to the Complainant 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: "... 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: September 30, 2009

Prepared By: Frank F. Caruso
Case Manager

Approved By: Catherine Starghill, Esq.
Executive Director

Date: September 23, 2009

Distribution Date: September 30, 2009

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