



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – All Records Responsive to the Request
Provided in a Timely Manner

GRC Complaint No.: 2012-138

Complainant: Quddoos Farra'd

Public Agency: New Jersey Department of Corrections

Custodian of Record: John Falvey

Date of Request: March 20, 2012

Date of Complaint: May 3, 2012¹

Complaint Disposition: On April 24, 2012, OPRA Liaison George Byrd provided the Complainant with the responsive record.² The Custodian certified in the Statement of Information (“SOI”) that the record provided is the record responsive to the Complainant’s request. The Complainant asserted in his Denial of Access Complaint that the responsive record was incomplete and does not contain all the requested information. The Custodian certified in the SOI that the record does contain the specific information requested.³

Applicable OPRA Provision: “A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record.” N.J.S.A. 47:1A-5(g).

“Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record ... as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.” N.J.S.A. 47:1A-5(i).

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)

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

² Mr. Byrd responded to the Complainant’s OPRA request within seven (7) business days of receipt of said request, completed the OPRA Records Request Payment Notification and Authorization form and notified the Complainant that the copying cost for the record responsive is \$0.05. On April 11, 2012, the Complainant signed the OPRA Records Request Payment Notification and Authorization form authorizing the Business Office to deduct \$0.05 from his account. The Custodian certifies that the NJ Department of Corrections received the OPRA Records Request Payment Notification and Authorization form on April 20, 2012 and within seven (7) business days after receipt, Mr. Byrd provided a copy of the responsive record to the Complainant.

³ The Custodian certified that the record provided is the responsive record to the Complainant’s OPRA request. The GRC does not have the authority over the content of the responsive record provided. *See N.J.S.A. 47:1A-7(b)* and Kwanzaa v. Dep’t of Corrections, GRC Complaint No. 2004-167 (March 2005). Additionally, the evidence of record provides that the Complainant’s OPRA request did not include the information the Complainant asserts is missing from the responsive record in his Denial of Access Complaint.



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: May 28, 2013

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Case Manager

Approved By: Brandon D. Minde, Esq.
Executive Director

Date: May 21, 2013

Distribution Date: May 28, 2013