



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Unripe Cause of Action

GRC Complaint No.: 2013-120

Complainant: Christopher J. White
Public Agency: New Jersey Department of Treasury
Custodian of Record: Michael Tyger

Date of Request: April 8, 2013
Date of Complaint: April 25, 2013¹

Complaint Disposition: On April 8, 2013, the Complainant mailed an Open Public Records Act (“OPRA”) request to the New Jersey Department of Treasury. On April 22, 2013, Ms. Cynthia Jablonski, (“Ms. Jablonski”) Manager of the Government Records Access Unit received the Complainant’s OPRA request. On April 22, 2013, the seventh (7th) business day following receipt of such request, Ms. Jablonski requested an extension of time until May 6, 2013 to respond to the Complainant’s OPRA request. On April 24, 2013, the Complainant verified his complaint to the GRC, within the reasonably requested extension of time. Here, because the Complainant verified his complaint before the reasonably requested extension of time had expired; this complaint is materially defective and must be dismissed.

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) 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: April 30, 2013

Prepared By: Harlynn A. Lack, Esq.
Case Manager

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

Date: April 26, 2013

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



Distribution Date: April 30, 2013