



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – All Responsive Records to the Request Provided in a Timely Manner

Clifford Wares  
Complainant

GRC Complaint No. 2014-411

v.

Passaic County Office of the Public Defender  
Custodial Agency

**Custodian of Record:** Dale Jones, Esq.  
**Request Received by Custodian:** N/A  
**GRC Complaint Received:** December 2, 2014

**Complaint Disposition:** The Complainant alleged to have submitted an OPRA request seeking the same records in the months of August, September, October, and November 2014. However, the Complainant failed to include copies of the requests with his Denial of Access Complaint. The evidence in the record demonstrates that the Complainant, subsequent to filing his complaint, submitted an additional OPRA request seeking the same records on December 6, 2014. The Custodian certified that he provided the Complainant with all responsive records not exempt from disclosure within the statutorily mandated response time. Additionally, the Complainant has failed to provide any evidence to contradict the Custodian's certification.

**Applicable OPRA Provision:** "A request for access to a government record shall be in writing and hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian." N.J.S.A. 47:1A- 5(g).

"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:** September 29, 2015



Prepared By: Samuel A. Rosado  
Staff Attorney

Reviewed By: Joseph D. Glover  
Executive Director

Date: September 22, 2015

**Distribution Date: September 30, 2015**