



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian Regarding This Request

Keith Werner¹
Complainant

GRC Complaint No. 2015-239

v.

New Jersey Division of Consumer Affairs²
Custodial Agency

Custodian of Record: Robert J. Campanelli
Request Received by Custodian: N/A
GRC Complaint Received: July 6, 2015

Complaint Disposition: The Custodian certified that he did not receive OPRA requests dated October 24, 2014, November 25, 2014, and January 6, 2015, from the Complainant. The Complainant sought records originating from the Board of Dentistry (“Board”), an agency within the Division of Consumer Affairs (“DCA”). Rather than address his OPRA requests to DCA, the Complainant addressed them to the Deputy Attorney General (“DAG”) assigned to the Board, and used the Board’s mailing address instead of the DAG’s. Additionally, the Complainant failed to provide credible evidence to contradict the Custodian’s certification. Therefore, the complaint is without any reasonable factual basis to pursue.

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) (emphasis added).

“The council shall make a determination as to whether the complaint is within its jurisdiction or frivolous or *without any reasonable factual basis.*” N.J.S.A. 47:1A-7(e) (emphasis added).

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 Glover
Executive Director

Date: September 22, 2015

Distribution Date: September 30, 2015

¹ No legal representation listed on record.

² Represented by Deputy Attorney General Steven Flanzman.