



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

Richard Stolte
Complainant

GRC Complaint No. 2015-30

v.

North Hanover Township Police Department (Burlington)
Custodial Agency

Custodian of Record: Cindy A Dye¹

Request Received by Custodian: February 3, 2015

GRC Complaint Received: February 10, 2015

Complaint Disposition: The Complainant provided his OPRA request to the Custodian on February 3, 2015. The Complainant verified his complaint on February 5, 2015, which is two (2) business days from the date the Custodian received the Complainant’s OPRA requests. OPRA provides that the Custodian “. . . shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i). Here, this complaint is materially defective and must be dismissed because the responsive records are not immediate access records and because the Complainant verified his complaint before the statutory time period provided for the Custodian to respond had expired.

Applicable OPRA Provision: “. . . [A] custodian of a government record shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i).

“A person who is denied access to a government record by the custodian of the record . . . may institute a proceeding to challenge the custodian’s decision by filing . . . a complaint with the Government Records Council . . .” N.J.S.A. 47:1A-6.

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

¹ The Complainant named Susan Reilly and Detective Sergeant Bud Wells in the Denial of Access Complaint as the individuals denying him access to records.



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