



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received By the Custodian

Brian Keith Bragg
Complainant

GRC Complaint No. 2015-307

v.

Atlantic County Justice Facility
Custodial Agency

Custodian of Record: Jennifer Starr, Esq.
Request Received by Custodian: N/A
GRC Complaint Received: September 25, 2015¹

Complaint Disposition: The Custodian certified that she did not receive a records request, dated September 9, 2015, from the Complainant. The Custodian further certified that she located neither an OPRA request nor correspondence concerning the subject matter described by the Complainant. Additionally, the Complainant failed to provide any evidence to contradict the Custodian’s certification. In addition, the Complainant states that he made his request to the Atlantic County Justice Facility “pursuant to the Freedom of Information Act,” rather than pursuant to OPRA. 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).

“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).

Effective Date of Disposition: May 24, 2016

Prepared By: Ernest Bongiovanni
Staff Attorney

Date: May 17, 2016

Distribution Date: May 25, 2016

¹ On October 26, 2015, the matter was referred to mediation. On December 10, 2015, following unsuccessful efforts to mediate, the matter was referred back to the GRC for adjudication.