



**NEW JERSEY GOVERNMENT RECORDS COUNCIL**  
**Administrative Complaint Disposition – Pending Action in Superior Court**

**Beverly McCall, Esq.**  
**(o/b/o The American Legion Morvay-Miley)**  
**Complainant**

**GRC Complaint No. 2016-10**

**v.**

**New Jersey Department of Community Affairs**  
**Custodial Agency**

**Custodian of Record:** Gabrielle Gallagher  
**Request Received by Custodian:** November 11, 2015  
**GRC Complaint Received:** January 11, 2016

**Complaint Disposition:** The Complainant affirmatively asserted on the Denial of Access Complaint form that she has also instituted an action in Superior Court regarding the denial of access at issue in the complaint also filed with the Council.

**Applicable OPRA Provision:** N.J.S.A. 47:1A-6 provides that “[a] person who is denied access to a government record by the custodian of the record, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court...or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council...”

**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:** February 16, 2016

Prepared By: John E. Stewart

Date: February 23, 2016

**Distribution Date: February 24, 2016**