



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – No Correspondence Received By The Custodian

Oderi Caldwell  
Complainant

GRC Complaint No. 2016-117

v.

Salem County Correctional Facility  
Custodial Agency

**Custodian of Record:** Curtis Harker  
**Request Received by Custodian:** N/A  
**GRC Complaint Received:** April 19, 2016

**Complaint Disposition:** The Custodian certifies that he did not receive an OPRA request dated August 16, 2017, from the Complainant.<sup>1</sup> Additionally, the Complainant has failed to provide sufficient 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).

“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:** November 14, 2017

Prepared By: Frank F. Caruso  
Communications Specialist/Resource Manager

Date: November 8, 2017

**Distribution Date: November 15, 2017**

<sup>1</sup> The Custodian certified in the Statement of Information that he received the Complainant’s OPRA request as part of the Denial of Access Complaint. The Complainant refuted this position in a subsequent submission but only provided evidence showing that the relevant mailing left his place of incarceration. There is no evidence in the file to support that the Custodian, or any other employees of the Salem County Correctional Facility or Salem County, actually received the mailing.