



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

**Brian Keith Bragg**  
**Complainant**

**GRC Complaint No. 2016-160**

**v.**

**Mercer County Correctional Center**  
**Custodial Agency**

**Custodian of Record:** Paul R. Adezio, Esq.

**Request Received by Custodian:** N/A

**GRC Complaint Received:** June 7, 2016

**Complaint Disposition:** The Complainant mailed his OPRA requests for medical records, x-rays, mental health records, institutional records, and video surveillance footage to the Custodian on May 27, 2016. The Complainant verified his complaint on June 1, 2016, 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 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:** March 27, 2018

Prepared By: Samuel A. Rosado, Esq.

Date: March 20, 2018

**Distribution Date: March 27, 2018**