



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – No Correspondence Received by the Custodian Regarding This Request

Michael Alan King  
Complainant

GRC Complaint No. 2016-185

v.

NJ Department of Corrections  
Custodial Agency

**Custodian of Record:** John C. Falvey  
**Request Received by Custodian:** None  
**GRC Complaint Received:** July 1, 2016

**Complaint Disposition:** The Custodian certifies that he did not receive a records request from the Complainant. Additionally, the Complainant provided no credible evidence to refute the agency's certifications. 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) (emphasis added). See Kossup v. NJ State Police, GRC Complaint No. 2014-299 (September 2015); Mitchell v. NJ Motor Vehicle Comm'n., GRC Complaint No. 2013-13 (August 2013).

"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:** September 29, 2015

Prepared By: Ernest Bongiovanni  
Staff Attorney

Date: September 22, 2016

**Distribution Date: September 30, 2016**