



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

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

Mark L. Tompkins  
Complainant

GRC Complaint No. 2017-186

v.

City of Newark (Essex)  
Custodial Agency

**Custodian of Record:** Kenneth Louis  
**Request Received by Custodian:** N/A  
**GRC Complaint Received:** September 12, 2017

**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 any evidence to contradict the Custodian's certification. Therefore, this 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**

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<sup>1</sup> The Custodian certified in the Statement of Information that the Complainant addressed the OPRA request to the Law Department instead of the Clerk's Office. The Custodian also certified that he contacted both the Law Department and Prosecutor's Office, neither of which had a record of receiving the OPRA request.