



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – All Records Responsive Provided in a Timely Manner

Scott Madlinger,
Complainant

GRC Complaint No. 2018-284

v.

Township of Toms River (Ocean),
Custodial Agency

Custodian of Record: Alison Carlisle

Request Received by Custodian: September 25, 2018

GRC Complaint Received: November 21, 2018

Complaint Disposition: The Custodian certified that all records responsive to the Complainant's e-mailed OPRA request were provided to the Complainant within the statutorily mandated response time. The Custodian responded providing the Complainant with a link to access the requested records. See Rodriguez v. Kean Univ., GRC Complaint No. 2013-69 (March 2014).¹ Additionally, the Complainant failed to provide any competent, credible evidence to refute the Custodian's certification. Thus, this complaint shall be dismissed because the Custodian timely provided all responsive records.

Applicable OPRA Provision: "A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5(g).

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record . . . as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5(i).

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: January 31, 2019

Prepared By: John E. Stewart

Date: December 11, 2018²

Distribution Date: February 1, 2019

¹ The Complainant did not specify a preferred method of delivery.

² This complaint was prepared for adjudication at the Council's December 18, 2018 meeting, but could not be adjudicated due to lack of quorum.