



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian

Joel Diaz
Complainant

GRC Complaint No. 2019-117

v.

County of Union
Custodial Agency

Custodian of Record: Marlena Russo
Request Received by Custodian: N/A
GRC Complaint Received: June 24, 2019

Complaint Disposition: The Custodian certified that she did not receive a records request from the Complainant dated May 7, 2019. Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Therefore, this complaint is without any reasonable factual basis to pursue and shall be dismissed.¹

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: July 30, 2019

Prepared By: Samuel A. Rosado
Staff Attorney

Date: July 23, 2019

Distribution Date: July 31, 2019

¹ Notwithstanding, the Complainant addressed his OPRA request specifically to the Union County Probation Department, which falls under the Judicial Branch of government. See N.J. Court Rules, R. 1:33-8.