



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

Christopher Masi
Complainant

GRC Complaint No. 2019-90

v.

N.J. Department of Corrections
Custodial Agency

Custodian of Record: John Falvey
Request Received by Custodian: June 17, 2019
GRC Complaint Received: July 1, 2019

Complaint Disposition: The Custodian certified that he responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist.¹ Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Thus, this complaint shall be dismissed because the evidence of record reflects that no responsive records exist.

Applicable OPRA Provision: “*Government record*” or “*record*” means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business . . .” N.J.S.A. 47:1A-1.1.

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 24, 2019

Prepared By: Frank F. Caruso
Executive Director

Date: September 17, 2019

Distribution Date: September 25, 2019

¹ The Custodian certified that the New Jersey Department of Corrections did not maintain high school diplomas. The Custodian further certified that he found no evidence that the Complainant received either his high school diploma or a General Education Diploma while incarcerated. The Custodian finally certified that he directed the Complainant to contact the issuing school district directly.