



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Unripe Cause of Action

Jeffrey Voigt
Complainant

GRC Complaint No. 2021-138

v.

Village of Ridgewood (Bergen)
Custodial Agency

Custodian of Record: Donna Jackson
Request Received by Custodian: June 21, 2021
GRC Complaint Received: June 30, 2021

Complaint Disposition: The Complainant provided his OPRA request for e-mails to the Custodian on June 21, 2021. The Complainant verified his complaint on June 30, 2021 at 11:22 a.m.,¹ which is seventh (7th) business days from the date the Custodian received the Complainant’s OPRA requests. OPRA provides that the Custodian “. . . shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i). Here, this complaint is materially defective and shall be dismissed because the requested e-mails are not immediate access records and because the Complainant verified his complaint before the statutory time period provided for the Custodian to respond had expired.²

Applicable OPRA Provision: “. . . [A] custodian of a government record shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i).

“A person who is denied access to a government record by the custodian of the record . . . may institute a proceeding to challenge the custodian’s decision by filing . . . a complaint with the Government Records Council . . .” N.J.S.A. 47:1A-6.

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: August 30, 2022

¹ The GRC notes that the Complainant dated the Denial of Access Complaint form June 21, 2021 but did not e-mail same to the GRC Inbox until June 30, 2021.

² Deputy Clerk Eileen Young responded within an hour after the filing of this complaint disclosing thirty-seven (37) pages of responsive records.



Prepared By: Frank F. Caruso
Executive Director

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