



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

William R. Capers
Complainant

GRC Complaint No. 2021-171

v.

Mahwah Police Department (Bergen)
Custodial Agency

Custodian of Record: Katherine Coviello
Request Received by Custodian: July 12, 2021
GRC Complaint Received: July 26, 2021

Complaint Disposition: The Custodian certified that she responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist. The Custodian also included in the Statement of Information legal certifications from four (4) other employees supporting this position. Additionally, the Complainant failed to provide any evidence to contradict any of these certifications. 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: March 29, 2022

Prepared By: Frank F. Caruso
Executive Director

Date: March 22, 2022

Distribution Date: March 30, 2022