



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian

Dale M. Weaver
Complainant

GRC Complaint No. 2021-235

v.

N.J. Department of Transportation
Custodial Agency

Custodian of Record: Dina Antinoro, Esq.
Request Received by Custodian: N/A
GRC Complaint Received: October 8, 2021

Complaint Disposition: The Custodian certified that she did not receive the Complainant’s letter OPRA request dated May 13, 2021. Additionally, the Complainant failed to provide any evidence to contradict the Custodian’s certification.¹ Therefore, this complaint is without any reasonable factual basis to pursue and shall be dismissed.²

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: March 29, 2022

Prepared By: Frank F. Caruso
Executive Director

Date: March 22, 2022
Distribution Date: March 30, 2022

¹ The original May 13, 2021 letter and June 21, 2021 follow-up letter were sent to “EZPass New Jersey Customer Service Center” at PO Box 4971 in Trenton, NJ and not the New Jersey Department of Transportation (“NJDOT”), who certified in the Statement of Information that it did not manage “tolls or toll roads.”

² It should also be noted that while the Complainant identified NJDOT as the defending agency, he stated in his letter attached to the Denial of Access Complaint that he was challenging “the decision of NJ TRANSIT . . .” (Emphasis in original). Thus, additional grounds appear to exist for administrative disposition that will not be addressed here. See Moawad v. City of Bayonne Police Dep’t (Hudson), 2018 N.J. Super. Unpub. LEXIS 2487 (App. Div. 2018).