



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – No Denial of Access at Issue

Raymond M. Codey, Esq.
Complainant

GRC Complaint No. 2021-28

v.

N.J. Department of Environmental Protection
Custodial Agency

Custodian of Record: Matthew Coefer
Request Received by Custodian: October 29, 2020
GRC Complaint Received: January 25, 2021

Complaint Disposition: The Complainant states in his Denial of Access Complaint that his argument in said complaint is that he was denied access to redacted portions of e-mails disclosed by a different “public agency.”¹ The Complainant did not dispute any denial of access to the requested records pursuant to his October 29, 2020 OPRA request. Thus, this complaint shall be dismissed.

Applicable OPRA Provision: OPRA provides that: “A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by . . . [filing] a complaint with the Government Records Council established pursuant to [OPRA].” N.J.S.A. 47:1A-6.

“The Government Records Council shall . . . receive, hear, review and adjudicate a complaint filed by any person concerning a denial of access to a government record by a record custodian . . .” N.J.S.A. 47:1A-7(b) (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 30, 2021

Prepared By: Frank F. Caruso
Executive Director

Date: March 23, 2021
Distribution Date: March 31, 2021

¹ The e-mails at issue were disclosed by N.J. Infrastructure Bank. The Complainant subsequently filed a separate complaint against that agency challenging the redacted e-mails. See Codey, Esq. v. N.J. Infrastructure Bank, GRC Complaint No. 2021-52. The GRC notes that Complainant’s Counsel was advised of the Complainant’s option to amend this complaint per N.J.A.C. 5:105-2.3(h)(1) but failed to do so within the applicable time frame.