



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – All Records Responsive Provided in a Timely Manner

Leo William Pecarsky
Complainant

GRC Complaint No. 2021-346

v.

Surf City Police Department (Ocean)
Custodial Agency

Custodian of Record: John N. Casella, Jr.
Request Received by Custodian: December 1, 2021
GRC Complaint Received: December 17, 2021

Complaint Disposition: The Custodian certified that the only video responsive to the Complainant's OPRA request was provided to him within the statutorily mandated response time.¹ Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Thus, this complaint shall be dismissed because the Custodian timely provided all responsive records.

Applicable OPRA Provision: "A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5(g).

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record . . . as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5(i).

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: July 26, 2022

Prepared By: Frank F. Caruso
Executive Director

Date: July 19, 2022

Distribution Date: July 27, 2022

¹ A copy of this video was also provided to the Complainant in response to a prior OPRA request dated November 9, 2021.