



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

Victor Malyar
Complainant

GRC Complaint No. 2022-647

v.

Ocean County Board of Elections
Custodial Agency

Custodians of Record: Beth McGuckin and Jason Varano
Request Received by Custodians: November 15, 2022
GRC Complaint Received: November 29, 2022

Complaint Disposition: The Custodians certified that they responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist. Additionally, the Complainant failed to provide any evidence to contradict the Custodians' certification. 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: April 25, 2023

Prepared By: John E. Stewart

Date: April 18, 2023

Distribution Date: April 27, 2023