



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian

Emilio Giron
Complainant

GRC Complaint No. 2022-650

v.

Union County Prosecutor's Office
Custodial Agency

Custodian of Record: Robert J. Rosenthal, Esq.

Request Received by Custodian: None.

GRC Complaint Received: December 1, 2022

Complaint Disposition: The Custodian certified that he did not receive a records request from the Complainant dated August 5, 2022.¹ Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Therefore, this complaint is without any reasonable factual basis to pursue and shall be dismissed.

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 25, 2025

Prepared By: Maria M. Rossi
Staff Attorney

Date: March 18, 2025

Distribution Date: March 27, 2025

¹ The Custodian also certified that it was not until he received a copy of the Denial of Access Complaint on November 7, 2022 that he first became aware of the subject OPRA request.