



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Unripe Cause of Action

Patrick Bender
Complainant

GRC Complaint No. 2022-656

v.

Morris County Sheriff's Office Bureau of Corrections
Custodial Agency

Custodian of Record: Corporal Steven Goodman
Request Received by Custodian: November 30, 2022
GRC Complaint Received: December 7, 2022

Complaint Disposition: The Complainant submitted his OPRA request for specific information relating to inmates booked at the Morris County Sheriff's Office Bureau of Corrections ("Morris County") on November 29, 2022, to the Custodian on November 30, 2022. The Custodian responded in writing on December 5, 2022, informing the Complainant that an extension of time to respond until March 3, 2023, was required.¹ The Complainant verified his complaint on December 6, 2022, which was within the extended time period.

Here, this Complaint is materially defective and shall be dismissed because the requested records are not immediate access records and because the Complainant verified his complaint before the statutory time period for the Custodian to respond, *as extended*, had expired. See Rivera v. Borough of Rutherford Police Dep't. (Bergen), GRC Complaint No. 2011-277 (August 2012); See also Inzelbuch v. Lakewood Bd. of Educ. (Ocean), GRC Complaint No. 2012-323 (February 2013).

Applicable OPRA Provision: ". . . [A] custodian of a government record shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . ." N.J.S.A. 47:1A-5(i).

"A person who is denied access to a government record by the custodian of the record . . . may institute a proceeding to challenge the custodian's decision by filing . . . a complaint with the Government Records Council . . ." N.J.S.A. 47:1A-6.

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.

¹ The GRC notes that while the extension request prompted the Complainant to file this complaint, same was verified within the seven (7) business day time period, which was set to expire on December 9, 2022.



Effective Date of Disposition: January 27, 2026

Prepared By: Frank F. Caruso
Executive Director

Date: January 20, 2026²

Distribution Date: January 29, 2026

² This complaint was prepared for adjudication at the Council's April 22, 2025 meeting, but could not be adjudicated due to lack of quorum.