



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

Jahkoy Monsanto
Complainant

GRC Complaint No. 2023-290

v.

Somerset County Jail
Custodial Agency

Custodian of Record: Kelly Mager
Request Received by Custodian: November 1, 2023
GRC Complaint Received: November 27, 2023

Complaint Disposition: The Complainant submitted the subject OPRA request seeking certain reports about himself to the Custodian on October 30, 2023.¹ The Complainant verified this complaint on November 8, 2023, which is five (5) business days from the date the Custodian received the Complainant’s OPRA request. OPRA provides that “. . . a custodian . . . shall grant access to a government record or deny a request for 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)(1). Here, this complaint is materially defective and shall be dismissed because the reports are not “immediate access” records and because the Complainant verified this complaint before the applicable statutory time period provided for the Custodian to respond expired.²

Applicable OPRA Provision: “Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian . . . shall grant access to a government record or deny a request for access to a government record as soon as possible, but not later than seven business days after receiving the request, or 14 business days if the request is for a commercial purpose or if the records have to be reviewed by the public agency for the purpose of the agency’s compliance with [Daniel’s Law] . . .” N.J.S.A. 47:1A-5(i)(1).

“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 Complainant’s OPRA request was dated November 9, 2023; however, he stated in the complaint that he submitted it on October 30, 2023. Further, the Custodian certified in the Statement of Information (“SOI”) that she received the OPRA request on November 1, 2023.

² The Custodian also stated in the SOI that the N.J. Department of Corrections “Offender Search” shows that the Complainant was deceased as of September 24, 2008 and attached supporting documentation.



Effective Date of Disposition: August 26, 2025

Prepared By: Frank F. Caruso
Executive Director

Date: August 19, 2025

Distribution Date: August 28, 2025