



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

Jason Ritchwood
Complainant

GRC Complaint No. 2023-69

v.

Village of South Orange (Essex)
Custodial Agency

Custodian of Record: Ojetti Davis
Request Received by Custodian: March 8, 2023
GRC Complaint Received: March 28, 2023

Complaint Disposition: The Custodian certified that she responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist.¹ Additionally, the Complainant failed to provide any evidence to contradict the Custodian’s 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: May 30, 2023

Prepared By: Frank F. Caruso
Executive Director

Date: May 23, 2023

Distribution Date: June 5, 2023

¹ The Custodian also denied the request as invalid because failed to identify specific records. N.J. Builders Ass’n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007). While the Complainant asserted that this portion of the response prompted the instant complaint, the Custodian also stated that no records existed because the Village of South Orange had no ownership interest in the vehicle identified in the OPRA request.