



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – All Records Responsive Provided in a Timely Manner

**Scott Madlinger**  
**Complainant**

**GRC Complaint No. 2023-78**

**v.**

**Berkeley Township Police Department (Ocean)**  
**Custodial Agency**

**Custodian of Record:** David Johnston  
**Request Received by Custodian:** March 27, 2023  
**GRC Complaint Received:** April 4, 2023

**Complaint Disposition:** The Custodian certified that all records responsive to the subject OPRA request<sup>1</sup> were provided to the Complainant within the statutorily mandated response time. Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification.<sup>2</sup> Thus, this complaint shall be dismissed because the Custodian timely provided all responsive records.

**Applicable OPRA Provision:** "A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5(g).

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record . . . as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5(i).

**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 29, 2025

Prepared By: Frank F. Caruso  
Executive Director

Date: April 15, 2025  
**Distribution Date: May 1, 2025**

<sup>1</sup> The Complainant sought additional records that are not at issue in this complaint.

<sup>2</sup> The Custodian certified that the only record responsive that existed was the disclosed event report. The Custodian certified that no Computer-Aided Dispatch report existed because the law enforcement presence was a follow-up to a prior investigation and not the result of a call for service.