



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Motion to File Within Time Denied

Yeruchom Koslowitz
Complainant

GRC Complaint No. 2024-9

v.

Township of Lakewood (Ocean)
Custodial Agency

Custodian of Record: Kim Potter
Request Received by Custodian: September 6, 2023
GRC Complaint Received: January 4, 2024

Complaint Disposition: The Complainant verified the instant complaint on December 29, 2023, alleging he was denied access to his OPRA request on September 25, 2023, or ninety-six (96) days prior. The Complainant argued that he was unaware of how to appeal the denial¹ and he believed he would receive help from a local attorney, who later declined to assist him. However, the Complainant failed to show good cause to permit the complaint to proceed out of time. Therefore, this complaint shall be dismissed.

Applicable OPRA Provision: “Any requestor who is denied access, in whole or in part, to a government record by a custodian, at the option of the requestor, may file a complaint with the Council pursuant to N.J.S.A. 47:1A-6. Such filing shall be made within 60-calendar days or, if the last day of the period is a Saturday, Sunday, or legal holiday, within the next business day, pursuant to N.J.A.C. 1:1-1.4, after the requestor receives a response from the custodian that grants or denies access or, if the custodian does not respond within seven business days of the request, within 60-calendar days following the expiration of such seven-business-day period, whichever is later, unless accompanied by a motion to file within time, showing good cause.” N.J.A.C. 5:105-2.1(a).

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: January 30, 2024

Prepared By: Frank F. Caruso
Executive Director

Date: January 23, 2024
Distribution Date: February 1, 2024

¹ The GRC notes that the Custodian’s denial of access included direct instructions on how to challenge same and directed the Complainant to contact the GRC, including contact information. However, at no point prior to the filing of the complaint did the Complainant contact the GRC to seek guidance and/or instructions on how to file a Denial of Access Complaint.