



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

Kirk D. Campbell
Complainant

GRC Complaint No. 2024-133

v.

Hudson County Prosecutor's Office
Custodial Agency

Custodian of Record: John P. Libretti, Esq.
Request Received by Custodian: November 29, 2023
GRC Complaint Received: May 23, 2024

Complaint Disposition: The Complainant verified the instant complaint on May 8, 2024,¹ alleging he was denied access to his OPRA request on January 30, 202, or ninety-nine (99) days prior. The Complainant asserted that he had limited access to the Law Library due to a waitlist and staffing shortages at East Jersey State Prison. However, the Complainant failed to show good cause to permit the complaint to proceed out of time. Specifically, the Complainant provided no additional evidence to support his claim that access to the Law Library resulted in his failure to timely file a complaint by over thirty (30) days. 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: July 30, 2024

¹ The GRC received the Complainant's Denial of Access Complaint on May 13, 2024; however, it returned same as out of time. The Complainant then resubmitted his complaint including a motion to file within time, which the GRC received on May 23, 2024.



Prepared By: Frank F. Caruso
Executive Director

Date: July 23, 2024

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