



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – No Records Responsive to the Request Exist

**David J. Durling**  
Complainant

**GRC Complaint No. 2025-135**

v.

**N.J. Department of Corrections**  
Custodial Agency

**Custodian of Record:** John Falvey  
**Request Received by Custodian:** June 5, 2025  
**GRC Complaint Received:** June 16, 2025

**Complaint Disposition:** The Custodian certified that he responded to the Complainant in writing within the statutorily mandated response time, as extended, indicating that no records responsive to the OPRA request exist. 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:** January 27, 2026

Prepared By: Frank F. Caruso  
Executive Director

Date: January 20, 2026<sup>1</sup>

**Distribution Date: January 29, 2026**

<sup>1</sup> This complaint was prepared for adjudication at the Council’s October 6, 2025 meeting, but could not be adjudicated due to lack of quorum.