



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – Motion to File Within Time Denied in Part

Kenneth Guenther
Complainant

GRC Complaint No. 2025-61

v.

Atlantic County
Custodial Agency

Custodian of Record: Arthur J. Murray, Esq.
Request Received by Custodian: January 22, 2025
GRC Complaint Received: March 17, 2025

Complaint Disposition: The Complainant submitted the instant complaint on March 12, 2025, alleging he was denied access to two (2) OPRA requests, identified as 96-2025 and 93-2025. The Complainant asserted the Custodian denied access to request 96-2025 on January 23, 2025, or sixty-two (62) days prior to submission. The Complainant contacted the GRC regarding this response on January 27, 2025, at which time the GRC provided him a copy of the most recent Denial of Access Complaint form. The Complainant contended he attempted to submit the complaint on March 11, 2025, over a month after his contact with the GRC, but received an e-mail delivery failure. While the Complainant claimed he used the e-mail address included on the form, the one he used was an outdated version and not the one the GRC sent him. Nevertheless, the Complainant failed to show good cause to permit the complaint to proceed out of time with respect to OPRA request 96-2025.

The Complainant also asserted he was denied access to request 93-2025 on February 3, 2025, which was within time. Thus, the complaint shall move forward with respect to OPRA request 93-2025.

Applicable OPRA Provision: “A person who is denied access to a government record by the custodian of the record, at the option of the requestor who is accurately identified by name, may, within 45 days of the date of denial . . . file a complaint with the Government Records Council” N.J.S.A. 47:1A-6.

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: Samuel A. Rosado
Senior Staff Attorney

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