

GOVERNMENT RECORDS COUNCIL
Administrative Case Disposition – Not a valid OPRA request

GRC Complaint No: 2007-70

Complainant: Ali S. Morgano

Custodian: Essex County Prosecutor's Office, Hilary Brunell

Date of Request: November 1, 2006

Date of Complaint: February 11, 2007

Case Disposition: Not a valid OPRA request.

Type of Administrative Disposition: The Custodian submitted a certification on February 26, 2007, stating that she never received an OPRA request form from the Complainant.

Applicable OPRA Provision:

“[t]he custodian of a public agency shall adopt a form for the use of any person who requests access to a government record held or controlled by the public agency. The form shall provide space for the name, address, and phone number of the requestor and a brief description of the government record sought...”N.J.S.A. 47:1A-5.f.

OPRA also states that:

“[a] request for access to a government records shall be in writing and hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian...”
N.J.S.A. 47:1A-5.g.

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: February 28, 2007

Prepared By:

Rebecca A. Steese

Approved By:

Catherine Starghill, Esq.
Executive Director

Date: February 21, 2007