NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – **All records responsive to the request provided in a timely manner.**

GRC Complaint No.: 2008-189

Complainant: Marilyn A. Yuechka
Custodian: New Jersey Department of Treasury, Division of Lottery, William Jourdain

Date of Request: August 18, 2008
Date of Complaint: August 22, 2008[1]

Complaint Disposition: The Custodian certifies that all records responsive to the Complainant's OPRA request have been provided to the Complainant within the statutorily mandated response time. Additionally, the Complainant has failed to provide any evidence to contradict the Custodian's certification.[2]

Applicable OPRA Provision: "A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5.g.

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record … as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5.i.

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: November 4, 2009

Prepared By: Frank F. Caruso
Case Manager

Approved By: Catherine Starghill, Esq.
Executive Director

Date: October 27, 2009

Distribution Date: November 4, 2009

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[1] The GRC received the Denial of Access Complaint on said date.
[2] Although the Complainant's OPRA request was invalid because it was a request for information not government records, the Custodian provided answers to all of the questions posed by the Complainant.