



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

GRC Complaint No.: 2009-293

Complainant: Harry D. Boonin

Custodian: Office of the Atlantic County Prosecutor's Office, Cary Shill

Date of Requests: September 24, 2009 and October 2, 2009¹

Date of Complaint: October 22, 2009²

Complaint Disposition: The Custodian certifies that he responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist. Additionally, the Complainant has failed to provide any evidence to contradict the Custodian's certification.

Applicable OPRA Provision: “[a] *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 by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of his or its official business by any such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof...” (Emphasis added.) 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: December 16, 2009

Prepared By: Frank F. Caruso
Case Manager

Approved By: Catherine Starghill, Esq.
Executive Director

Date: December 9, 2009

Distribution Date: December 23, 2009

¹ The Complainant identified other request dates which were either not requests under OPRA or irrelevant to the instant complaint.

² The GRC received the Denial of Access Complaint on said date.