



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition –No Record Responsive to the Request Exists

**GRC Complaint No.:** 2011-41

**Complainant:** David Herron

**Custodian:** Montclair Board of Education (Essex) - Dana Sullivan

**Date of Request:** October 9, 2010

**Date of Complaint:** February 10, 2011<sup>1</sup>

**Complaint Disposition:** The Custodian certifies that she 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:** "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. The terms shall not include interagency or intra-agency advisory, consultative, or deliberative material." 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:** March 29, 2011

Prepared By: Darryl C. Rhone  
Case Manager

Approved By: Catherine Starghill, Esq.  
Executive Director

Date: March 22, 2011

Distribution Date: March 29, 2011

<sup>1</sup> The GRC received the Denial of Access Complaint on February 14, 2011.