



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received By the Custodian

Shamsiddin Abdur-Raheem
Complainant

GRC Complaint No. 2016-292

v.

New Jersey Office of the Public Defender
Custodial Agency

Custodian of Record: Jessica Moses
Request Received by Custodian: N/A
GRC Complaint Received: November 10, 2016

Complaint Disposition: The Custodian certified that she did not receive a request from the Complainant dated September 19, 2016.¹ Additionally, the Complainant has failed to provide any evidence to contradict the Custodian's certification. Therefore, this complaint is without any reasonable factual basis to pursue.

Applicable OPRA Provision: "A request for access to a government record 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).

"The council shall make a determination as to whether the complaint is within its jurisdiction or frivolous or *without any reasonable factual basis*." N.J.S.A. 47:1A-7(e) (emphasis added).

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: October 30, 2018

Prepared By: Frank F. Caruso
Communications Specialist/Resource Manager

Date: October 23, 2018

Distribution Date: October 31, 2018

¹ The OPRA request submitted as part of the complaint did not include a PO Box number for the Trenton address, where the Custodian is located. Such an omission could have reasonably resulted in a delivery failure. Further, the Complainant copied his request to the Newark office, which was not the Custodian's proper address.