



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian Regarding This Request.

Brian Keith Bragg
Complainant

GRC Complaint No. 2017-143

v.

University of Medicine and Dentistry of NJ
Custodial Agency

Custodian of Record: Casey Woods
Request Received by Custodian: N/A
GRC Complaint Received: July 6, 2017

Complaint Disposition: The Custodian certifies that he did not receive an OPRA request from the Complainant dated June 20, 2017. Further, the Custodian certified that he has not received an OPRA request from the Complainant at any time between June 1, 2017 and July 13, 2017. 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.¹

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: July 25, 2017

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

Date: July 18, 2017

Distribution Date: July 26, 2017

¹ The GRC notes that the Complainant appeared to submit a "Consent for Release of Information" ("Consent") form, which does not constitute a valid OPRA request. The GRC has no authority to adjudicate a complaint when an agency does not respond to a Consent form. See Bragg v. Mercer Cnty. Corr. Ctr., GRC Complaint No. 2015-396 (May 2016) (administratively disposing of a complaint because the Consent form did not constitute "a valid OPRA request").