



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian

David Nash
Complainant

GRC Complaint No. 2019-147

v.

Jackson Township Fire District No. 2 (Ocean)
Custodial Agency

Custodian of Record: Scott Rauch
Request Received by Custodian: N/A
GRC Complaint Received: July 22, 2019

Complaint Disposition: The Custodian certified that he did not receive a records request from the Complainant dated December 12, 2018.¹ Additionally, the Complainant failed to provide any evidence to contradict the Custodian’s certification. Therefore, this complaint is without any reasonable factual basis to pursue and shall be dismissed.

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: September 24, 2019

Prepared By: Frank F. Caruso
Executive Director

Date: September 17, 2019

Distribution Date: September 25, 2019

¹ The Complainant attached to his complaint a copy of the GRC’s official OPRA request form with “Jackson Township Fire Department” handwritten on top. Upon receipt of the complaint, the GRC contacted three (3) public agencies before determining that Jackson Township Fire District No. 2 covered the area relevant to the subject OPRA request. The GRC notes that the other two (2) agencies also advised that they did not receive any OPRA request from the Complainant.