



## NEW JERSEY GOVERNMENT RECORDS COUNCIL

### Administrative Complaint Disposition – All Records Responsive Provided in a Timely Manner

Mark Lamar Tompkins  
Complainant

GRC Complaint No. 2022-286

v.

Essex County Prosecutor's Office  
Custodial Agency

**Custodian of Record:** Stephen A. Pogany  
**Request Received by Custodian:** June 14, 2022  
**GRC Complaint Received:** June 24, 2022

**Complaint Disposition:** The Custodian certified that all records responsive to the Complainant's OPRA request were provided to the Complainant within the statutorily mandated response time. Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Thus, this complaint shall be dismissed because the Custodian timely provided all responsive records.

**Applicable OPRA Provision:** "A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5(g).

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record . . . as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5(i).

**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:** April 25, 2023

Prepared By: Samuel A. Rosado  
Staff Attorney

Date: March 21, 2023<sup>1</sup>

**Distribution Date: April 27, 2023**

<sup>1</sup> This complaint was prepared for adjudication at the Council's March 28, 2023 meeting, but could not be adjudicated due to lack of quorum.