



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

Kevin Alexander
Complainant

GRC Complaint No. 2023-13

v.

Somerville Police Department (Somerset)
Custodial Agency

Custodian of Record: Manuel Garcia

Request Received by Custodian: January 4, 2023; January 19, 2023

GRC Complaint Received: January 12, 2023; January 26, 2023

Complaint Disposition: The Custodian certified that he responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA requests exist. Additionally, the Complainant failed to provide sufficient evidence to contradict the Custodian's certification. Thus, this complaint shall be dismissed because the evidence of record reflects that no responsive records exist.

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 . . ." 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 28, 2023

Prepared By: Samuel A. Rosado
Staff Attorney

Date: March 21, 2023

Distribution Date: March 30, 2023