



MIDDLESEX COUNTY PROSECUTOR'S OFFICE

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Yolanda Ciccone
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Deputy First Assistant
Prosecutor

April 18, 2024

via email to rodholguin@gmail.com

Rodolfo Holguin
257 Shafer Avenue
Phillipsburg, NJ 08865

Re: OPRA Request # W019682-041224

Dear Mr. Holguin:

The Middlesex County Prosecutor's Office is in receipt of your request under the state's Open Public Records Act regarding a "*Middlesex County Assistant Prosecutor Request is for the direct email address for Middlesex Couty Assistant Prosecutor Alexander "A.J." Battey. I would also like his direct phone number and/or extension.*"

Under OPRA, a valid request seeks specific identifiable government records or documents. This request seeks information or asks questions and does not identify specific government records. As such, your request is an invalid OPRA request and is denied. When a request is "complex" because it fails to specifically identify the documents sought, then that request is not "encompassed" by OPRA. See New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 172 (App. Div. 2007).

Records custodians are not required to conduct any research on behalf of the requestor. See Donato v. Twp. of Union, Government Records Council Complaint No. 2005-182, Analysis (February 28, 2007). Nor are custodians obligated to create responsive records. N.J. Builders Assoc. v. N.J. Council on Affordable Housing, 390 N.J. Super. 166, 171, 179 (App. Div. 2007), certif. denied, 190 N.J. 394 (2007); Librizzi v. Twp. of Verona Police Dept., Government Records Council Complaint No. 2009-213, Analysis (August 24, 2010).

You have a right to appeal this decision. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the GRC by completing the Denial of Access Complaint Form. You may contact the GRC toll-free at 866-850-0511, by mail at P.O. Box 819, Trenton, N.J. 08625, by e-mail, or at its website at www.state.nj.us/grc.

The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk.

Regards,

Joseph Jakuback

Joseph Jakuback, Esq.
Assistant Prosecutor / Records Custodian
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