



STATE OF NEW JERSEY
OFFICE OF THE GOVERNOR

Philip D. Murphy
Governor

P.O. Box 001
Trenton, New Jersey 08625-0001

April 5, 2022

Via Email

John W. Milner
54 Princeton Road
Parlin, New Jersey 08859

Re: Open Public Records Act (OPRA) Request

Dear Mr. Milner:

This letter constitutes the response of the Office of the Governor to your OPRA request, which seeks:

Copies of all correspondence between the Office of the Governor and Yolanda Ciccone concerning her employment as the Middlesex County Prosecutor. Please include a copy of her resume and other relevant employment information consistent with the intent of Governor McGreevey's Executive Order #26, Paragraph 3, found on page 7, here:

[https://www.state.nj.us/grc/public/exempt/OPRA%20Exemptions%20\(2020\).pdf](https://www.state.nj.us/grc/public/exempt/OPRA%20Exemptions%20(2020).pdf)

Please include information on the decision making process involved in the selection of county prosecutors.

Please be advised that your request is overbroad under OPRA. OPRA does not allow a blanket request for every document a public agency has on file or a wholesale request for general information. Gannett N.J. Partners, LP v. Cty. of Middlesex, 379 N.J. Super. 205, 212 (App. Div. 2005); MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 549 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 36-37 (App.

Div. 2005); Spectraserv, Inc. v. Middlesex Cty. Utils. Auth., 416 N.J. Super. 565, 578 (App. Div. 2010); N.J. Builders Ass'n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 178-79 (App. Div. 2007). Requests for correspondence must identify the individuals or accounts to be searched and be confined to a discrete and limited subject matter. Burke v. Brandes, 429 N.J. Super. 169, 176-78 (App. Div. 2012); see also Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-08 (Apr. 8, 2010) (stating that a proper request for email correspondence must contain "(1) the content and/or subject of the e-mail, (2) the specific date or range of dates during which the e-mail was transmitted or the emails were transmitted, and (3) a valid e-mail request must identify the sender and/or the recipient thereof").

Please be further advised that records regarding the recommendation, consideration, and selection of candidates for prosecutorial appointments are confidential and exempt from disclosure under OPRA. See N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-10; Exec. Order 26 (McGreevey 2002); N.J.S.A. 47:1A-9; Loigman v. Trombadore, 228 N.J. Super. 437 (App. Div. 1988).

Enclosed please find records responsive to your request for a copy of the Honorable Yolanda Ciccone's resume and biography. Please be advised that personal information was redacted under OPRA. The Honorable Yolanda Ciccone was appointed by the Governor with the advice and consent of the Senate in accordance with N.J.S.A. 2A:158-1.

Your OPRA request is hereby closed. This response does not waive or limit any other rights afforded this Office under OPRA or the common law, which are expressly reserved. If you have any questions, please do not hesitate to contact this Office at (609) 777-2588.

Very truly yours,

Valentina M. DiPippo

Valentina M. DiPippo
Custodian of Government Records