



MARK MUSELLA
Bergen County Prosecutor

Office of the County Prosecutor

County of Bergen

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January 23, 2025

Via email opra+request-70615-8154cf11@requests.opramachine.com
Michael Engelhardt

Re. Request for Public Records

Dear Mr. Engelhardt:

This is in response to your request for public records dated 1-13-25 in which you sought the following:

I AM seeking records in connection with a legal proceeding.

Records requested: Paper trail from Meredith Kuntz lowering terroristic threat charges on the X captain {Robert Piterski} of Bogota Police Department to Harassment. It was a citizen complaint from Michael Engelhardt .

Please note OPRA provides for access to specifically identifiable government records. *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super. 534 (2005). To the extent your request seeks "paper trail" your request is vague and overbroad.

Notwithstanding and without waiving said objection, this Office does not possess public records responsive to your request. *Williams v. Passaic County Prosecutor's Office*, GRC Complaint No. 2014-297 (finding that where "no records responsive to the request exist, no unlawful denial of access occurred. As a courtesy to you, I attach the event history maintained in eCourts, the New Jersey Courts automated trial court system, to the extent it may bear other information relevant to your request.

The Bergen County Prosecutor's Office also reserves the right to raise any other ground for denial not raised in this response. The failure of the Bergen County Prosecutor's Office to



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assert an exception or privilege does not act as a waiver of any ground for denial. Whether you may request records from the State Police is an issue which you may wish to explore.

You have a right to appeal the decision that the document or documents are not public records or are otherwise exempt from disclosure. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your county.

Very truly yours,

MARK MUSELLA
Bergen County Prosecutor

Maria Fagliarone/s/

Maria Fagliarone
Assistant Records Custodian

Attachment