



City of Linden
UNION COUNTY, NEW JERSEY

Joseph C. Bodek, RMC, RPPO
City Clerk

OFFICE OF CITY CLERK
City Hall – 301 North Wood Avenue
(908) 474-8452
Fax: (908) 474-8451

Jennifer Honan
Deputy City Clerk

December 23, 2019

Ms. Carole Acton
Opra+request-7838-cefd9838-cefd9838@requests.opramachine.com

File Number: 2019-1035

Re: OPRA Request – Records

Dear Ms. Carole Acton:

The City of Linden received your Open Public Records Act (OPRA) request on November 4, 2019. The official Records Custodian, Joseph C. Bodek, received your OPRA request on November 4, 2019. As such, the seventh (7th) business day deadline to respond to your request is Friday, November 15, 2019. This response to your request is being provided to you on the 27th business day after the custodian's receipt of said request.

You requested the following: See attached

Please be advised that Municipal Court records do not fall under the Open Public Records Act. Per court rule 1:38 any Municipal Documents must be requested by completing the attached Records Request Form. Please be advised that your request was sent to other Departments and we are still in waiting for responses for your request. We have solicited numerous time for your request and as soon as is provided it will be provided to you.

If you feel that your request for access to a government record has been improperly denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision of the City of Linden to deny access. I have attached information, from the Government Records Council regarding the process to file a complaint.

Sincerely yours,

Joseph C. Bodek
Custodian of Records
City Of Linden

New Jersey Government Records Council ("GRC")



What to do if your request for a record has been denied

The New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) permits a person who believes that he or she has been unlawfully denied access to a public record either to file a complaint with the GRC or to file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking such actions.

To file a complaint with the GRC:

- Visit the GRC's website at www.nj.gov/grc for information and to register your complaint. In the alternative, you may contact the GRC by telephone at 1-866-850-0511 or by e-mail at government.records@dca.nj.gov.
- When you file the written complaint, the GRC will offer both you and the public agency non-adversarial, impartial mediation. If mediation is not accepted or is not successful, the GRC will investigate the complaint.
- In some cases, the GRC can award attorney's fees to a complainant or impose a fine against a records custodian.
- There is no fee to file a complaint with the GRC.

To file a complaint in Superior Court:

- A requestor may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.
- The court requires a filing fee, and you must serve the lawsuit papers on the appropriate parties.
- The court will schedule a hearing to resolve the dispute.
- If you disagree with the court's decision, you may appeal the decision to the Appellate Division of the Superior Court.
- If you are successful, you may be entitled to reasonable attorney's fees.
- You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.
- Filing suit in Superior Court may result in a faster resolution, because the courts adjudicate cases every day, whereas the GRC only meets once a month.

Government Records Council, P.O. Box 819, Trenton, New Jersey 08625-0819

Joe Bodek

2019-1035

From: Carole Acton <opra+request-7838-cefd9838@requests.opramachine.com>
Sent: Wednesday, October 30, 2019 11:43 PM
To: Joe Bodek
Subject: OPRA request - Prosecutor appointments for Linden Court

Dear Linden City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Names and Dates of appointment for Linden Municipal Prosecutors from 2010-2019. Also include any Prosecutors names that were approved by Council by the RFQ process during that time frame.

Yours faithfully,
Carole Acton

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-7838-cefd9838@requests.opramachine.com

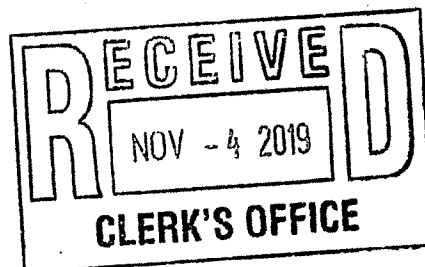
Is jbodek@linden-nj.org the wrong address for OPRA requests to Linden City? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=linden_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/prosecutor_appointments_for_lind

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.





City of Linden
Union County, New Jersey
Municipal Court
301 N. Wood Avenue
Linden, New Jersey 07036
(P) (908) 474-8429/(F) (908) 474-8619

Cassandra Corbett
Chief Judge

Susan Sanchez
Court Administrator

Susan MacMullan
Municipal Judge

Memo

To: Talia Pena-Marin, Bilingual Clerk 1
From: Susan Sanchez, Court Administrator
Date: November 6, 2019
RE: Oprah Request from Carole Acton

Please be advised that Municipal Court records do not fall under OPRA request.

Per Court Rule 1:38 any Municipal Document must be requested by completing the attached Records Request Form.

If you should have any questions please contact my office.



New Jersey Judiciary Records Request Form

Request Date

Preferred Delivery

☐ Pick Up☐ US Mail☐ On Site Inspection☐ Fax☐ Email

Request Needed By

Part A: Requestor Identification

Last Name

Middle Initial

First Name

Address

Daytime Telephone (Include area code)
ext.

City

State

Zip Code

Fax/Email (optional)

Part B: Records Request Processing Location

Please select one of the locations below to process your records request.

County

☐ Appellate Division Clerk's Office☐ Office of the Administrative Director

Division

☐ Supreme Court Clerk's Office☐ Municipal Court☐ Superior Court Clerk's Office☐ Tax Court Clerk's Office☐ Other**Part C: Case Identification**

Case Name

Docket/Complaint/Ticket Number*

*In Criminal and Municipal Cases, if you do not know the docket number, please provide Defendant's information:
Defendant Name and alias(es), if any

Defendant Birth Date

Last 4 digits of Defendant's
Social Security Number

Indictment/Arrest Date

Indictment/Accusation/
Complaint/Municipal Number

Appeal Number

Sentencing Date

Name of Sentencing Judge

Part D: Records Requested by DivisionPlease describe records requested as completely as possible. Include any case numbers, dates and names of individuals involved.
Attach additional pages if necessary.**Part E: Copy Fees**

Copy Fees:

5¢ per page letter size

7¢ per page legal size

Special Copy Requests - Additional fees will be charged

☐ Seal only☐ Certified without Seal☐ Certified with Seal☐ Exemplified (includes Seal)Are you a named party or
attorney in this case?☐ Yes☐ No

Disposition

☐ Delivered☐ Denied☐ Unavailable

Disposition Date

If request is denied or records are unavailable, explain here. Attach additional pages if necessary.