

[Cite as *Anderson v. Greater Cleveland Regional Transit Auth.*, 2018-Ohio-4596.]

JASON A. ANDERSON

Requester

v.

GREATER CLEVELAND
REGIONAL TRANSIT AUTHORITY

Respondent

Case No. 2018-00593PQ

Judge Patrick M. McGrath

JUDGMENT ENTRY

{¶1} On January 18, January 23, and March 29 of 2018, requester Jason Anderson and representatives acting on his behalf made 94 public records requests to respondent Greater Cleveland Regional Transit Authority (RTA). (Complaint at 2-15; Response, Exh. B.) The RTA provided thousands of pages of responsive records, noted that several requests were overly broad, and indicated that it had no records responsive to some requests. (Response at 2, 5-6; Jackson Aff. at ¶ 5-17; Exhs. C-E, G, I.)

{¶2} On April 4, 2018, Anderson filed a complaint under R.C. 2743.75 alleging public records access violations by the RTA. The complaint failed to attach the responses of the RTA or to state with clarity how access to public records had been denied. The court directed Anderson to submit an amended complaint separately listing each request for which he was seeking relief and the request letter(s) in which it was made. (April 9, 2018, Order.) On April 27, 2018, Anderson filed an amended complaint in which he alleged that the RTA had failed to make records available within a reasonable period of time with respect to fourteen of the original 94 requests. R.C. 149.43(B)(1). (Am. Complaint at 2-3.) On July 24, 2018, the RTA filed its response (Response) asserting that under the facts and circumstances of this case it had provided records within a reasonable period of time. On August 13, 2018, Anderson filed a reply.

{¶3} On August 21, 2018, Special Master Jeffery Clark issued a report finding that under the facts and circumstances of the case the 23 business days taken by the RTA to provide records responsive to the requests was a reasonable period of time. The Special Master recommended the court issue an order denying Anderson's claim.

{¶4} R.C. 2743.75(F)(2) states, in part: "Either party may object to the report and recommendation within seven business days after receiving the report and recommendation by filing a written objection with the clerk * * *." No objections were filed by either party. The court determines that there is no error of law or other defect evident on the face of the Special Master's decision. Therefore, the court adopts the Special Master's report and recommendation as its own, including findings of fact and conclusions of law contained therein.

{¶5} Court costs are assessed against the requester. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

PATRICK M. MCGRATH
Judge