

DOCKET NO: HHBCV145016567S

SUPERIOR COURT

SMITH, BRADSHAW  
V.  
FREEDOM OF INFORMATION  
COMMISSION Et Al

JUDICIAL DISTRICT OF NEW BRITAIN  
AT NEW BRITAIN

12/18/2015

ORDER

The following order is entered in the above matter:

ORDER:

The plaintiff acknowledges that he received all of the records that he requested from the defendant Greater Hartford Transit District (transit district). At this point, the only relief that the plaintiff seeks is for the court to remand the case to the defendant freedom of information commission (commission) with a direction to order the transit district to comply more promptly in the future with requests under the Freedom of Information Act (FOIA). However, because the plaintiff's interest in such an order is no greater than that of any other member of the public, the plaintiff is not aggrieved by the absence of such order and therefore lacks standing. See Connecticut Independent Utility Workers, Local 12924 v. Dept. of Public Utility Control, 312 Conn. 265, 272, 92 A.3d 247 (2014). See also Burton v. Freedom of Information Commission, 161 Conn. App. 654, \_\_\_ A.3d \_\_\_ (2015) (plaintiff lacks standing to request civil penalties against agency that did not comply promptly with FOIA request.)

Alternatively, on the merits, the commission reasonably concluded that the transit district, by hand-delivering copies of the requested documents within a week of the time that the plaintiff requested them, had provided the records "promptly" as required by General Statutes §§ 1-210(a) and 1-212 (a). The commission also reasonably concluded that § 1-206 (a) does not require an agency to respond to a FOIA request within four business days but serves only to permit a requester, at his or her option, to file a complaint with the commission if the agency does not respond within that time frame. The commission's decision thus fully satisfies the standard of judicial review. See Schallenkamp v. DelPonte, 229 Conn. 31, 40, 639 A.2d 1018 (1994).

Accordingly, the appeal is dismissed.

Judicial Notice (JDNO) was sent regarding this order.

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Judge: CARL J SCHUMAN