

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Angelo Reyes,

Complainant

against

Docket # FIC 2025-0713

Chief, Fire Department, City of New Haven;
Fire Department, City of New Haven; and
City of New Haven,

Respondents

July 22, 2026

The above-captioned matter was heard as a contested case on March 12, 2026, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. *See Anthony Sinchak v. Freedom of Information Commission*, Docket No. CV 03-0826293, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.).

Pursuant to an order of the Hearing Officer issued on June 30, 2026, the respondents submitted to the Commission an affidavit of Elias A. Alexiades dated July 6, 2026, which shall be marked and admitted as Respondents' Exhibit 2 (after-filed).

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that, by letter dated June 2, 2025, the complainant requested that the respondents provide him with copies of the following records:

Any/all entries from evidence log book(s) pertaining to NHFD alarm #16768. Including the following dates.....

10/1/2008 – 10/30/2008

4/1/2009 – 4/30/2009

9/1/2014 – 9/30/2014

This includes Can, Gallon, Temporary Storage and/or any other location within NHFD.

3. It is found that the respondents received the complainant's records request, described in paragraph 2, above, on June 12, 2025.

4. By letter dated June 30, 2025, postmarked August 4, 2025, and received August 6, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide records responsive to the request described in paragraph 2, above.

5. Section 1-206(a), G.S., provides in relevant part:

Any denial of the right to inspect or copy records provided for under section 1-210 shall be made to the person requesting such right by the public agency official who has custody or control of the public record, **in writing, within four business days of such request Failure to comply with a request to so inspect or copy such public record within the applicable number of business days shall be deemed to be a denial.**

(Emphasis Added.)

6. Section 1-206(b)(1), G.S., provides in relevant part:

Any person denied the right to inspect or copy records under section 1-210 ... or denied any other right conferred by the [FOI] Act may appeal therefrom to the [FOI] Commission, by filing a notice of appeal with said commission. **A notice of appeal shall be filed not later than thirty days after such denial....** For purposes of this subsection, such notice of appeal shall be deemed to be filed on the date it is received by said commission or **on the date it is postmarked, if received more than thirty days after the date of the denial from which such appeal is taken.**

(Emphasis Added.)

7. At the hearing on this matter, the complainant contended that the respondents failed to provide him with all of the records described in paragraph 2, above.

8. It is found that the respondents never denied the complainant's records request in writing, pursuant to §1-206(a), G.S. Thus, it is found that the complainant's request for purposes of §§1-206(a) and 1-206(b)(1), G.S., is deemed to have been denied on June 18, 2025, four business days from the date the respondents received the request.

9. It is found, however, that the Commission received the complaint in this matter on August 6, 2025, more than thirty days after the denial at issue. Therefore, the complaint is deemed to have been filed on the date it is postmarked pursuant to §1-206(b)(1), G.S.

10. It is found that the complaint in this case is postmarked August 4, 2025, which is forty-seven days after the denial of the complainant's request.

11. Based on the foregoing, it is found that the complainant did not file his appeal within thirty days of the denial of his request, as required by §1-206(b)(1), G.S.

12. It is therefore concluded that the Commission lacks jurisdiction over this matter.¹

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is hereby dismissed for lack of jurisdiction.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 22, 2026.


Jennifer M. Mayo
Acting Clerk of the Commission

¹ The Commission notes that, on November 3, 2025, the respondents mailed to the complainant copies of all responsive records that they were able to locate and that the complainant received a copy of such records thereafter on an unknown date, but prior to the hearing on this matter.

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

ANGELO REYES, #115681, Cybulski Correctional Institution, 391 Shaker Road, Enfield, CT 06082

CHIEF, FIRE DEPARTMENT, CITY OF NEW HAVEN; FIRE DEPARTMENT, CITY OF NEW HAVEN; AND CITY OF NEW HAVEN, c/o Attorney Elias A. Alexiades, Office of the Corporation Counsel, 165 Church Street, 4th Floor, New Haven, CT 06510



Jennifer M. Mayo
Acting Clerk of the Commission