



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

February 22, 1991

Mr. Robert E. Diaz
Police Legal Advisor
City of Arlington, Texas
Police Department
P. O. Box 1065
Arlington, Texas 76004-1065

OR91-105

Dear Mr. Diaz:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11449.

The City of Arlington received an open records request for various documents pertaining to a particular Arlington police officer. You contend the requested information comes under the protection of section 3(a)(3) of the Open Records Act. In his letter to the city, the requestor states that he intends to use the requested documents "in support of a class action Civil Rights Act of 1964 lawsuit." A previous determination of this office, Open Records Decision No. 551 (1990), resolves your request. By the requestor's own admission, the requested information directly pertains to anticipated litigation against the city or one of its officers. For this reason, you may withhold the requested information pursuant to section 3(a)(3).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-105.

Yours very truly,

A handwritten signature in black ink that reads "Jim Moellinger". The signature is written in a cursive, slightly slanted style.

Jim Moellinger
Assistant Attorney General
Opinion Committee

JM/RWP/lcd

Ref.: ID# 11449

ID# 11625

cc: Robert Allan Mackin
C.I.D.# 0018144
Tarrant Co. Jail 40-F
350 W. Belknap
Ft. Worth, Texas 76102