



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

December 2, 1991

Mr. Ira S. Greenspan  
Assistant Attorney General  
Medicaid Fraud Control Unit  
Office of the Attorney General  
P. O. Box 12548  
Austin, Texas 76711-2548

OR91-600

Dear Mr. Greenspan:

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# 11368.

The Medicaid Fraud Control Unit of the Office of the Attorney General received an open records request for the complete investigative files of all of its cases bearing the prefix "RXD" that resulted in a conviction and for a certain case concerning Richmond State School. Section 3(a)(3) of the Open Records Act authorizes a governmental body to withhold information relating to pending litigation involving a governmental entity. Open Records Decision No 551 (1991). We have been informed by the attorney handling the case, that the requested files relate to pending litigation to which the Office of the Attorney General and Attorney General Morales are parties. Consequently, we have determined that you may withhold the requested information pursuant to section 3(a)(3) of the Open Records Act.

Because case law and prior 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 OR91-600.

Yours very truly,



**Kay Guajardo**  
Assistant Attorney General  
Opinion Committee

KHG/lcd

Ref.: ID# 11368

Enclosure: ORD 127, 584, 551  
Return Documents

cc: Beth Taylor  
Director  
Attorney General Office  
Medicaid Fraud Control  
3000 IH-35 South  
Fountain Park Plaza I, Suite 200  
Austin, Texas 78704-6536