



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 28, 1995

Ms. Ann Diamond
Assistant District Attorney
Tarrant County
Justice Center
401 West Belknap
Fort Worth, Texas 76196-0201

OR95-874

Dear Ms. Diamond:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 34306.

The Office of the Criminal District Attorney of Tarrant County, Texas (the "county"), received an open records request for information that you contend may be withheld from the public pursuant to sections 552.103(a) and 552.107(2) of the Government Code. Section 552.107(2) excepts information from required public disclosure if a court by order has prohibited disclosure of the information. You have enclosed a copy of an order signed on June 5, 1995, by Judge Don Leonard of Criminal District Court Number Three of Tarrant County, Texas, in the case of *State of Texas v. William Elbert Morgan*, Cause No. 0583979R. This order states that the State does not have to produce the requested personnel file. We, therefore, conclude that pursuant to section 552.107(2), the county may withhold the requested information from required public disclosure.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Kay Guajardo". The signature is written in a cursive style with a prominent loop at the end of the last name.

Kay H. Guajardo
Assistant Attorney General
Open Government Section

KHG/RHS/rho

Ref.: ID# 34306

cc: Mr. Mark G. Daniel
Evans, Gandy, Daniel & Moore
115 West Second Street, Suite 202
Fort Worth, Texas 76102