



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

September 28, 1995

Ms. Kathryn Holton Geary  
Assistant District Attorney  
Fort Bend County  
309 South 4th Street  
Richmond, Texas 77469

OR95-1008

Dear Ms. Geary:

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# 35153.

The Fort Bend County District Attorney's Office received a request for the probable cause affidavit relating to an alleged assault. You contend that the requested information is excepted from required public disclosure under section 552.108 of the Government Code.

The requested information is a public court record. Accordingly, you may not withhold this information under section 552.108 of the Government Code. *See generally* Attorney General Opinion DM-166 (1992); Open Records Decision No. 618 (1993).

We are resolving this matter with an 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 should 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 cursive script, reading "Kay H. Guajardo".

Kay H. Guajardo  
Assistant Attorney General  
Open Records Division

KHG/LBC/rho

Ref: ID# 35153

Enclosures: Submitted documents

cc: Ms. Patti Muck  
Houston Chronicle  
P.O. Box 4260  
Houston, Texas 77210  
(w/o enclosures)