



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 3, 1998

Ms. Judith A. Hunter
Paralegal
City of Georgetown
City Attorney's Office
P.O. Box 409
Georgetown, Texas 78627-0409

OR98-0885

Dear Ms. Hunter:

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# 114580.

The City of Georgetown (the "city") received an open records request for all records pertaining to an automobile accident. You state that you have released to the requestor a complete copy of the accident report, but seek to withhold the remaining information pursuant to section 552.108(a)(2) of the Government Code, which exempts from required public disclosure "information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication." The records at issue indicate, and you have confirmed, that no criminal charges were ever filed in this case. Accordingly, we conclude that you have met your burden of establishing the applicability of section 552.108(a)(2) to the records at issue. The city therefore may withhold these records from the requestor.

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 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script that reads "June B. Harden".

June B. Harden
Assistant Attorney General
Open Records Division

JBH/RWP/alg

Ref.: ID# 114580

Enclosures: Submitted documents

cc: Ms. Cenila Paloma de Baneguez
c/o Rebecca Ramirez
1100 Leander Road, # 227
Georgetown, Texas 78628
(w/o enclosures)