



May 26, 1999

Mr. Tony Resendez
Escamilla & Poneck, Inc.
1200 South Texas Building
603 Navarro Street
San Antonio, Texas 78205-1826

OR99-1460

Dear Mr. Resendez:

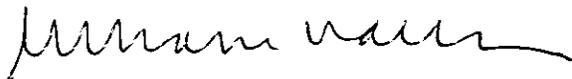
You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 124482.

The Edgewood Independent School District (the “district”) received a request for the “names of the owners of properties, and the addresses of such properties, with whom the Edgewood Independent School District has entered into contract or negotiations to purchase said properties specifically relating to Memorial High School.” You seek to withhold the requested information under section 552.103 of the Government Code, the “litigation exception.”

You advise that the basis of your claim for withholding the requested information under section 552.103 is that the district “is currently in litigation to condemn the properties at issue.” Presumably the pleadings in these lawsuits contain the information requested here and are themselves public records. Information from court-filed public records may not be withheld under any of the exceptions in the Texas Public Information Act. *See Star Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). We note, too, that you advise that one of the condemnation lawsuits on the basis of which you claim the protection of section 552.103 has been settled. The applicability of section 552.103(a) ends once the litigation has concluded. Attorney General Opinion MW-575 (1982), Open Records Decision No. 350 (1982). Accordingly, you may not withhold the information at issue under section 552.103. You must release the requested information to 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.

Sincerely,



William Walker
Assistant Attorney General
Open Records Division

WMW/eaf

Ref.: ID# 124482

encl. Submitted documents

cc: Ms. Emily Spicer
San Antonio Express News
P.O. Box 2171
San Antonio, Texas 78297
(w/o enclosures)