



September 28, 1999

Mr. Darrell G-M Noga
Cooper & Scully
Founders Square
900 Jackson Street, Suite 100
Dallas, Texas 75202

OR99-2746

Dear Mr. Noga:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 128461.

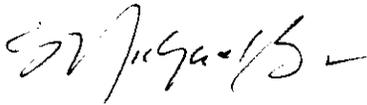
The City of Coppell (the "city"), which you represent, received a request for information from John Robinson. You assert that "technically" the City has no information responsive to this request. You contend that potentially responsive information is excepted from disclosure by sections 552.103(a), 552.107 and 552.111 of the Government Code. You have not supplied any information to this office for review. Pursuant to Government Code 552.303, this office provided you notice that failure to provide responsive information within seven days of the notice would create a presumption that the requested information is public. You did not provide any responsive information within the statutory time limit.

A governmental body must make a good faith effort to relate a request to information which it holds. Open Records Decision No. 561 (1990). We do not consider a hyper-technical reading of a request to be in good faith. You relate that responsive information does not exist, however, you argue that specific provisions of the Public Information Act except from disclosure information you apparently consider to be responsive. You state that no evidence or documents concerning the city's actions against the requestor for breach of a particular permanent injunction exist, as no such actions have been taken. However, we note that information can "concern" actions not taken. We conclude that any information that existed at the time of this request and that is responsive to this request, must be released.

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,

A handwritten signature in black ink, appearing to read "Michael Jay Burns", with a checkmark at the end.

Michael Jay Burns
Assistant Attorney General
Open Records Division

MJB/ljp

Ref: ID# 128461

cc: Mr. John Robinson
540 Christi Lane
Coppell, Texas 75019