



OFFICE *of the* ATTORNEY GENERAL
GREG ABBOTT

March 28, 2003

Ms. Larissa T. Roeder
Assistant District Attorney
County of Dallas
133 N. Industrial Blvd., LB-19
Dallas, Texas 75207-4399

OR2003-2106

Dear Ms. Roeder:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 178739.

The Dallas County District Attorney's Office (the "district attorney") received an oral request for a copy of a specified photograph of a fingerprint. Initially, the district attorney received a written request for the fingerprint from the same requestor on September 17, 2002. However, this request was subsequently withdrawn by the requestor. You state that the district attorney then received the instant oral request for this information on January 27, 2003. You claim that the requested information is excepted from disclosure under section 552.101 of the Government Code. We note, however, that the Public Information Act is not implicated unless a governmental body receives a written request for information. *See* Gov't Code § 552.301(a), (c); Open Records Decision No. 304 at 2 (1982). Therefore, the district attorney need not release the requested information to the requestor in this instance and may require the requestor to submit his request in writing. Based on this finding, we do not reach your argument under section 552.101.

Sincerely,

W. Montgomery Meitler
Assistant Attorney General
Open Records Division

WMM/lmt

Ref: ID# 178739

Enc: Submitted documents

c: Mr. William T. Rasmussen
Attorney at Law
P.O. Box 993
Traverse City, MI 49685
(w/o enclosures)