



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 13, 2003

Ms. Myrna S. Reingold
Galveston County Legal Department
4127 Shearn Moody Plaza
123 Rosenberg
Galveston, Texas 77550-1454

OR2003-7267

Dear Ms. Reingold:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 189307.

The Galveston County Sheriff Department (the "Department") received a request for eight categories of information relating to the death of a named individual, excessive force complaints, and the Department's "use of force" policies and procedures. You inform us that you have released some responsive information, including the autopsy report and toxicology report, to the requestor. You assert the remaining information is excepted from disclosure under sections 552.101, 552.103, 552.108, 552.117, 552.119, 552.130 and 552.137 of the Government Code. Further, you contend some of the submitted information is not subject to the Act. We reviewed the information you submitted and considered your arguments.

Initially, as you note, the submitted information includes documents produced in response to grand jury subpoenas. Article 20.02 of the Code of Criminal Procedure provides for the secrecy of grand jury proceedings. This office has concluded that grand juries are not governmental bodies subject to chapter 552 of the Government Code, so records within the actual or constructive possession of a grand jury are not subject to disclosure under chapter 552. *See* Open Records Decision No. 513 (1988). When an individual or entity acts at the direction of the grand jury as its agent, information prepared or collected by the agent is within the grand jury's constructive possession and is not subject to chapter 552. *Id.* at 3. Information that is not so held or maintained is subject to chapter 552 and may be withheld only if a specific exception to disclosure is applicable. *Id.* Thus, because a portion of the submitted information was obtained pursuant to a grand jury subpoena or at the direction of the grand jury, this information, which you have marked, is in the custody of the Department as agent of the grand jury and is not subject to disclosure under chapter 552. *Id.* at 4.

Further, we note the applicability of section 11 of article 49.25 of the Code of Criminal Procedure,¹ which provides as follows:

The medical examiner shall keep full and complete records properly indexed, giving the name if known of every person whose death is investigated, the place where the body was found, the date, the cause and manner of death, and shall issue a death certificate. . . . The records are subject to required public disclosure in accordance with Chapter 552, Government Code, except that a photograph or x-ray of a body taken during an autopsy is excepted from required public disclosure in accordance with Chapter 552, Government Code, but is subject to disclosure:

- (1) under a subpoena or authority of other law; or
- (2) if the photograph or x-ray is of the body of a person who died while in the custody of law enforcement.

Code Crim. Proc. art. 49.25, § 11. In this case, submitted CD-ROM contains autopsy photographs of “the body of a person who died while in the custody of law enforcement.” See Code Crim. Proc. art. 49.25, § 11. Therefore, the Department must release these photographs to the requestor in accordance with section 11 of article 49.25 of the Code of Criminal Procedure.

Next, we address your claim that the Medical Practice Act (the “MPA”), chapter 159 of the Occupations Code, governs some of the submitted information. Section 159.002 of the MPA reads, in part, as follows:

- (a) A communication between a physician and a patient, relative to or in connection with any professional services as a physician to the patient, is confidential and privileged and may not be disclosed except as provided by this chapter.
- (b) A record of the identity, diagnosis, evaluation, or treatment of a patient by a physician that is created or maintained by a physician is confidential and privileged and may not be disclosed except as provided by this chapter.
- (c) A person who receives information from a confidential communication or record as described by this chapter, other than a person listed in Section 159.004 who is acting on the patient’s behalf, may not disclose the information except to the extent that disclosure is consistent with the authorized purposes for which the information was first obtained.

¹ Section 552.101 of the Government Code excepts from disclosure “information deemed confidential by law, either constitutional, statutory, or by judicial decision.”

Occ. Code § 159.002(a), (b), (c). This office has concluded that the protection afforded by section 159.002 extends only to records created by either a physician or someone under the supervision of a physician. *See* Open Records Decision Nos. 487 (1987), 370 (1983), 343 (1982). In this instance, the submitted information contains medical records created by either a physician or someone under the supervision of a physician. The requestor is not one of the patients at issue and we find no indication that the requestor has provided the Department with a proper consent authorizing disclosure of the medical records to the requestor. *See* Occ. Code §§ 159.004, .005. Therefore, we conclude that the Department must withhold the information we have marked in accordance with the MPA. *See* Open Records Decision No. 598 (1991).

With respect to some of the remainder of the submitted information, we note the applicability of section 552.022 of the Government Code. Section 552.022 provides, in pertinent part, as follows:

[T]he following categories of information are public information and not excepted from required disclosure under this chapter unless they are expressly confidential under other law:

- (1) a completed report, audit, evaluation, or investigation made of, for, or by a governmental body, except as provided by Section 552.108[.]

Gov't Code § 552.022(a)(1). Thus, the Department must release the information subject to section 552.022(a)(1), which we have marked, unless it is expressly confidential under other law or excepted from disclosure under section 552.108. You assert section 552.103 of the Government Code excepts this information from required public disclosure. However, section 552.103, a discretionary exception under the Act, does not constitute other law for purposes of section 552.022(a). *See Dallas Area Rapid Transit v. Dallas Morning News*, 4 S.W.3d 469, 475-76 (Tex. App.—Dallas 1999, no pet.) (governmental body may waive Gov't Code § 552.103); Open Records Decision Nos. 663 (1999) (governmental body may waive Gov't Code § 552.103), 551 (1990) (statutory predecessor to Gov't Code § 552.103 serves only to protect a governmental body's position in litigation and does not itself make information confidential); *see also* Open Records Decision No. 665 at 2 n.5 (2000) (discretionary exceptions generally). Thus, the Department may not withhold any of the submitted information subject to section 552.022 under section 552.103 of the Government Code. As sections 552.101, 552.117, 552.119, 552.130 and 552.137 constitute other law for purposes of section 552.022, we will address your arguments under these provisions as well as section 552.108 for this information.

You argue Article 49.18(b) of the Code of Criminal Procedure protects some of the submitted information from required public disclosure. Article 49.18(b) requires that law enforcement agencies complete custodial death reports and file those reports with the attorney general, who "shall make the report, with the exception of any portion of the report

that the attorney general determines is privileged, available to any interested party.” In Open Records Decision No. 521 at 5 (1989), this office held that under article 49.18(b), in conjunction with a directive issued by the Office of the Attorney General, section one of custodial death reports filed with this office is public information. All remaining portions of the custodial death report, i.e., sections two through five, including all attachments, are deemed privileged under article 49.18(b) and must be withheld from the public. Open Records Decision No. 521 at 5 (1989). You indicate that you have released section one of the custodial death report to the requestor. The Department must withhold sections two through five of the custodial death report in accordance with article 49.18(b) of the Code of Criminal Procedure.

Furthermore, you state that the “statements and offense reports taken from the various peace officers and emergency response providers are [sic] made taken, obtained and required pursuant to . . . article 49.18” and “[s]tatements include the statements taken on video and/or audio equipment as well as written statements.” However, article 49.18(b) of the Code of Criminal Procedure does not make confidential all information held by a local law enforcement agency simply because the information is also included in or attached to a custodial death report submitted to the attorney general. If a governmental body receives a request for information otherwise generated or maintained by the law enforcement agency as part of its ordinary responsibilities, those documents may be withheld only if one of the Act’s exceptions or another specific law protects them. Open Records Decision No. 521 at 7 (1989). Here, the requestor specifically requests information pertaining “to the apprehension, arrest, detention or restraint, and death of” a named individual. Because it appears that the Department created the responsive information at issue as part of its ordinary responsibilities, we conclude that it does not come within the protection of article 49.18.

However, as you also claim section 552.108 of the Government Code for this information, we next address your arguments under this exception. Section 552.108(a)(2) provides, in relevant part, as follows:

(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from the requirements of Section 552.021 if:

...

(2) it is 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[.]

Gov’t Code § 552.108(a)(2). A governmental body that raises section 552.108 must reasonably explain how and why section 552.108 is applicable to the information. *See* Gov’t Code § 552.301(e)(1)(A); *Ex parte Pruitt*, 551 S.W.2d 706 (Tex. 1977); Open Records Decision No. 434 at 2-3 (1986) (law enforcement agency must explain how release of

particular records or parts thereof will interfere with law enforcement or prosecution). Based on our review of your representations and the submitted information, we find that much of it concerns a criminal investigation that did not result in conviction or deferred adjudication. *See* Gov't Code § 552.108(a)(2). Therefore, we conclude that the Department may withhold the information we have marked, including most of the videotapes, all of the audiotapes, the floppy disk, and the remainder of the CD-ROM, under section 552.108(a)(2) of the Government Code.²

We note that section 552.108 does not except from disclosure basic information about an arrested person, an arrest, or a crime. Gov't Code § 552.108(c). We believe such basic information refers to the information held to be public in *Houston Chronicle Publishing Company v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.—Houston [14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976). *See* Open Records Decision No. 127 (1976) (summarizing types of information considered basic information). Thus, in accordance with section 552.108(c), you indicate that the Department has released basic information contained in the documentation at issue.

You also claim section 552.108(b)(1) governs some of the submitted information. This provision states the following, in relevant part:

(b) An internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution is excepted from the requirements of Section 552.021 if:

(1) release of the internal record would interfere with law enforcement or prosecution;

Gov't Code § 552.108(b)(1). Section 552.108(b)(1) is intended to protect "information which, if released, would permit private citizens to anticipate weaknesses in a police department, avoid detection, jeopardize officer safety, and generally undermine police efforts to effectuate the laws of this State." *City of Ft. Worth v. Cornyn*, 86 S.W.3d 320 (Tex. App.—Austin 2002, no writ). This office has stated that under the statutory predecessor to section 552.108(b), a governmental body may withhold information that would reveal law enforcement techniques. *See, e.g.*, Open Records Decision Nos. 531 (1989) (detailed use of force guidelines), 143 (1976) (specific operations or specialized equipment directly related to investigation or detection of crime). Also, this office has concluded that section 552.108 excepts from public disclosure information that relates to the security or operation of a law enforcement agency. *See, e.g.*, Open Records Decision No. 531 (1989) (holding that section 552.108 excepts detailed guidelines regarding a police department's use of force policy).

² As we reach this determination, we need not address your claims under section 552.117 and 552.119 of the Government Code.

However, in demonstrating the applicability of subsection 552.108(b)(1), a governmental body must meet its burden of explaining how and why release of the requested information would interfere with law enforcement and crime prevention. *See* Open Records Decision No. 562 at 10 (1990). To prevail on its claim that subsection 552.108(b)(1) excepts information from disclosure, a law-enforcement agency must do more than merely make a conclusory assertion that releasing the information would interfere with law enforcement. Open Records Decision No. 409 at 2 (1984). Furthermore, a governmental body may not withhold commonly known policies and techniques under section 552.108. *See, e.g.*, Open Records Decision Nos. 531 at 2-3 (1989) (Penal Code provisions, common-law rules, and constitutional limitations on use of force are not protected under section 552.108), 252 at 3 (1980) (governmental body did not meet its burden because it did not indicate why investigative procedures and techniques requested were any different from those commonly known). The determination of whether the release of particular records would interfere with law enforcement is made on a case-by-case basis. *Id.*

After reviewing your arguments and the documents at issue, we conclude that you have established the applicability of subsection 552.108(b)(1) for some of the submitted information. Accordingly, the Department may withhold the information we have marked, including the remaining videotape, under subsection 552.108(b)(1) of the Government Code. However, the information at issue also includes documents that are publicly available. We do not believe you have sufficiently demonstrated how the release of this information, on its own, would interfere with the Department's law enforcement efforts. *See* Open Records Decision No. 216 at 4 (1970) (commonly known law enforcement techniques not protected under predecessor to section 552.108). We have marked the information that the Department may not withhold under subsection 552.108(b)(1).

Next, for the information labeled "Excessive Force Complaints" that does not fall within the purview of section 552.022, and the submitted supplementary information relating to the Department's use of force policies, we address your claims under section 552.103 of the Government Code. Section 552.103 states, in pertinent part, as follows:

(a) Information is excepted from the requirements of Section 552.021 if it is information relating to litigation of a civil or criminal nature to which the state or a political subdivision is or may be a party or to which an officer or employee of the state or a political subdivision, as a consequence of the person's office or employment, is or may be a party.

....

(c) Information relating to litigation involving a governmental body or an officer or employee of a governmental body is excepted from disclosure under Subsection (a) only if the litigation is pending or reasonably anticipated on the date that the requestor applies to the officer for public information for access to or duplication of the information.

Gov't Code § 552.103(a), (c). To secure the protection of section 552.103(a), the Department must demonstrate the requested information "relates" to pending or reasonably anticipated litigation. Open Records Decision No. 588 (1991). The Department has the burden of providing relevant facts and documents to show the applicability of an exception in a particular situation. The test for establishing the applicability of section 552.103(a) requires a two-prong showing that (1) litigation is pending or reasonably anticipated, and (2) the information at issue is related to that litigation. *Univ. of Tex. Law Sch. v. Tex. Legal Found.*, 958 S.W.2d 479 (Tex. App.—Austin 1997, no pet.); *Heard v. Houston Post Co.*, 684 S.W.2d 210 (Tex. App.—Houston [1st Dist.] 1984, writ ref'd n.r.e.).

To establish that litigation is reasonably anticipated, a governmental body must provide this office "concrete evidence showing that the claim that litigation may ensue is more than mere conjecture." Open Records Decision No. 452 at 4 (1986). Concrete evidence to support a claim that litigation is reasonably anticipated may include, for example, the governmental body's receipt of a letter containing a specific threat to sue the governmental body from an attorney for a potential opposing party.³ Open Records Decision No. 555 (1990); *see* Open Records Decision No. 518 at 5 (1989) (litigation must be "realistically contemplated"). On the other hand, this office has determined that if an individual publicly threatens to bring suit against a governmental body, but does not actually take objective steps toward filing suit, litigation is not reasonably anticipated. *See* Open Records Decision No. 331 (1982). Further, the fact that a potential opposing party has hired an attorney who makes a request for information does not establish that litigation is reasonably anticipated. Open Records Decision No. 361 (1983).

In this instance, the requestor, an attorney, has been contacted by the father of the deceased individual at issue in the custodial death. You state that the attorney is a trial attorney, board certified in personal injury trial law and civil trial law, whose firm specializes in high-profile cases. Further, you explain that in the request for information, "the attorney mentions the father is severely distraught over the loss of his son." Based upon a review of your arguments and the submitted information, however, we find that the Department has not sufficiently established that it reasonably anticipated litigation on the date it received the present request for information. Thus, we conclude that the Department may not withhold the submitted information at issue under section 552.103 of the Government Code.

Regarding the remainder of the submitted information, including the "Use of Force Report" and the completed internal affairs investigation, we address your other arguments. First, you

³ In addition, this office has concluded that litigation was reasonably anticipated when the potential opposing party took the following objective steps toward litigation: filed a complaint with the Equal Employment Opportunity Commission, *see* Open Records Decision No. 336 (1982); hired an attorney who made a demand for disputed payments and threatened to sue if the payments were not made promptly, *see* Open Records Decision No. 346 (1982); and threatened to sue on several occasions and hired an attorney, *see* Open Records Decision No. 288 (1981).

claim certain portions of the "Excessive Force Complaints" are subject to section 58.007 of the Family Code. The relevant language of section 58.007(c) reads as follows:

(c) Except as provided by Subsection (d), law enforcement records and files concerning a child and information stored, by electronic means or otherwise, concerning the child from which a record or file could be generated may not be disclosed to the public and shall be:

- (1) if maintained on paper or microfilm, kept separate from adult files and records;
- (2) if maintained electronically in the same computer system as records or files relating to adults, be accessible under controls that are separate and distinct from controls to access electronic data concerning adults; and
- (3) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B.

Fam. Code § 58.007(c). After reviewing the submitted information and your representations, we find the submitted documents at issue do not constitute law enforcement records as contemplated by section 58.007. Therefore, we conclude that the Department may not withhold any of the submitted information under section 552.101 in conjunction with section 58.007 of the Family Code.

Next, we note the applicability of the doctrine of common-law privacy, as encompassed by section 552.101 of the Government Code. Common-law privacy protects information when (1) it contains highly intimate or embarrassing facts, the publication of which would be highly objectionable to a reasonable person, and (2) the public has no legitimate interest in the information. *Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977). The types of information considered intimate and embarrassing by the Texas Supreme Court in *Industrial Foundation* included information relating to sexual assault, pregnancy, mental or physical abuse in the workplace, illegitimate children, psychiatric treatment of mental disorders, attempted suicide, and injuries to sexual organs. *Id.* at 683. In addition, this office has found that some medical information or information indicating disabilities or specific illnesses warrants protection under common-law privacy. See Open Records Decision Nos. 470 (1987) (illness from severe emotional and job-related stress), 455 (1987) (prescription drugs, illnesses, operations, and physical handicaps). In this instance, the documents remaining at issue contain information protected by common-law privacy. Therefore, the Department must withhold the information we have marked under section 552.101 of the Government Code in conjunction with common-law privacy. We note that although the submitted documents at issue contain information that could be considered highly intimate or embarrassing, it is of legitimate public concern, and therefore, not protected under common-law privacy. See Open Records

Decision Nos. 484 (1987) (public's interest in knowing how police departments resolve complaints against police officers ordinarily outweighs officers' privacy interest), 470 at 4 (1987) (public has legitimate interest in job performance of public employees).

Next, we note that the submitted information remaining at issue contains social security numbers that may be confidential under federal law. A social security number may be withheld in some circumstances under section 552.101 in conjunction with the 1990 amendments to the federal Social Security Act, 42 U.S.C. § 405(c)(2)(C)(viii)(I). *See* Open Records Decision No. 622 (1994). These amendments make confidential social security numbers and related records that are obtained and maintained by a state agency or political subdivision of the state pursuant to any provision of law enacted on or after October 1, 1990. *See id.* We have no basis for concluding that the social security numbers in the responsive records are confidential under section 405(c)(2)(C)(viii)(I), and therefore, excepted from public disclosure under section 552.101 and the referenced federal provision. However, we caution the Department that section 552.352 of the Act imposes criminal penalties for the release of confidential information. Prior to releasing any social security number, you should ensure that no such information was obtained or is maintained by the Department pursuant to any provision of law enacted on or after October 1, 1990.

In addition, as you note, section 552.130 governs some of the submitted information. This provision excepts from public disclosure information relating to a driver's license or a motor vehicle title or registration issued by an agency of this state. *See* Gov't Code § 552.130. In this case, the information at issue contains driver's license numbers and a license plate number. Therefore, the Department must withhold this information, which we have marked, under section 552.130 of the Government Code.

Further, as you assert, section 552.137 of the Government Code governs some of the submitted information. This provision states the following:

(a) Except as otherwise provided by this section, an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body is confidential and not subject to disclosure under this chapter.

(b) Confidential information described by this section that relates to a member of the public may be disclosed if the member of the public affirmatively consents to its release.

(c) Subsection (a) does not apply to an e-mail address:

(1) provided to a governmental body by a person who has a contractual relationship with the governmental body or by the contractor's agent;

(2) provided to a governmental body by a vendor who seeks to contract with the governmental body or by the vendor's agent;

(3) contained in a response to a request for bids or proposals, contained in a response to similar invitations soliciting offers or information relating to a potential contract, or provided to a governmental body in the course of negotiating the terms of a contract or potential contract; or

(4) provided to a governmental body on a letterhead, coversheet, printed document, or other document made available to the public.

(d) Subsection (a) does not prevent a governmental body from disclosing an e-mail address for any reason to another governmental body or to a federal agency.

Act of June 2, 2003, 78th Leg., R.S., H.B. 2032, § 1 (to be codified as amendment to Gov't Code § 552.137). Section 552.137 requires a governmental body to withhold certain e-mail addresses of members of the public that are provided for the purpose of communicating electronically with the governmental body, unless the members of the public with whom the e-mail addresses are associated have affirmatively consented to their release. Section 552.137 does not apply to a business's general e-mail address or a government employee's work e-mail address. Also, e-mail addresses encompassed by subsection 552.137(c) are not excepted from disclosure under section 552.137.

The submitted information subject to release contains e-mail addresses of members of the public. You do not inform us that any member of the public has affirmatively consented to the release of any e-mail address contained in the submitted materials. Therefore, we conclude the Department must withhold the e-mail addresses we have marked under section 552.137(a) of the Government Code.

Last, we note that the submitted information subject to release contains copyrighted materials. A custodian of public records must comply with the copyright law and is not required to furnish copies of records that are copyrighted. Attorney General Opinion JM-672 (1987). A governmental body must allow inspection of copyrighted materials unless an exception applies to the information. *Id.* If a member of the public wishes to make copies of copyrighted materials, the person must do so unassisted by the governmental body. In making copies, the member of the public assumes the duty of compliance with the copyright law and the risk of a copyright infringement suit. *See* Open Records Decision No. 550 (1990).

In summary, the information you have marked which the Department obtained pursuant to a grand jury subpoena or at the direction of the grand jury is not subject to disclosure under the Act. The Department must release the autopsy photographs on the submitted CD-ROM

in accordance with section 11 of article 49.25 of the Code of Criminal Procedure. The Department must withhold the following information under section 552.101 in conjunction with the stated statute or doctrine: 1) information subject to the MPA, which we have marked; 2) sections two through five of the custodial death report in accordance with article 49.18(b) of the Code of Criminal Procedure; 3) information we have marked under common-law privacy; and 4) if applicable, social security numbers pursuant to federal law. With the exception of basic information, the Department may withhold the information we have marked, including all of the videotapes and audiotapes, the floppy disk, and the remaining information on the CD-ROM under section 552.108. We have marked some information that the Department may not withhold under section 552.108. The Department must withhold the information we have marked under sections 552.130 and 552.137. The Department must release the remainder of the submitted information to the requestor. However, in doing so, the Department must comply with copyright laws.

This letter ruling is limited to the particular records at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other records or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For example, governmental bodies are prohibited from asking the attorney general to reconsider this ruling. Gov't Code § 552.301(f). If the governmental body wants to challenge this ruling, the governmental body must appeal by filing suit in Travis County within 30 calendar days. *Id.* § 552.324(b). In order to get the full benefit of such an appeal, the governmental body must file suit within 10 calendar days. *Id.* § 552.353(b)(3), (c). If the governmental body does not appeal this ruling and the governmental body does not comply with it, then both the requestor and the attorney general have the right to file suit against the governmental body to enforce this ruling. *Id.* § 552.321(a).

If this ruling requires the governmental body to release all or part of the requested information, the governmental body is responsible for taking the next step. Based on the statute, the attorney general expects that, within 10 calendar days of this ruling, the governmental body will do one of the following three things: 1) release the public records; 2) notify the requestor of the exact day, time, and place that copies of the records will be provided or that the records can be inspected; or 3) notify the requestor of the governmental body's intent to challenge this letter ruling in court. If the governmental body fails to do one of these three things within 10 calendar days of this ruling, then the requestor should report that failure to the attorney general's Open Government Hotline, toll free, at (877) 673-6839. The requestor may also file a complaint with the district or county attorney. *Id.* § 552.3215(e).

If this ruling requires or permits the governmental body to withhold all or some of the requested information, the requestor can appeal that decision by suing the governmental

body. *Id.* § 552.321(a); *Texas Dep't of Pub. Safety v. Gilbreath*, 842 S.W.2d 408, 411 (Tex. App.—Austin 1992, no writ).

Please remember that under the Act the release of information triggers certain procedures for costs and charges to the requestor. If records are released in compliance with this ruling, be sure that all charges for the information are at or below the legal amounts. Questions or complaints about over-charging must be directed to Hadassah Schloss at the Texas Building and Procurement Commission at (512) 475-2497.

If the governmental body, the requestor, or any other person has questions or comments about this ruling, they may contact our office. We note that a third party may challenge this ruling by filing suit seeking to withhold information from a requestor. Gov't Code § 552.325. Although there is no statutory deadline for contacting us, the attorney general prefers to receive any comments within 10 calendar days of the date of this ruling.

Sincerely,



Christen Sorrell
Assistant Attorney General
Open Records Division

CHS/seg

Ref: ID# 189307

Enc: Submitted documents

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