



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 9, 2007

Mr. J. David Dodd, III  
Nichols, Jackson, Dillard, Hager & Smith, L. L. P.  
1800 Lincoln Plaza  
500 North Akard  
Dallas, Texas 75201

OR2007-10209

Re: Request for a copy of the in-store videotape in connection with an aggravated assault with a deadly weapon case filed against Derek Wayne Underwood pending cause no. F-0745883

Dear Mr. Dodd:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 291146.

After reviewing your arguments and the information, we have determined that your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim that the information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(1) you may withhold the requested videotape.

For more information on the cited exception, as well as information on the rights and obligations of governmental bodies and requestors, please refer to open government information contained on the Office of the Attorney General website at [www.oag.state.tx.us](http://www.oag.state.tx.us). You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

cc: Investigator Logan  
133 Industrial Boulevard  
9<sup>th</sup> Floor Suite C  
Dallas, Texas 75207  
(w/o enclosures)