



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 6, 2008

Ms. Yushan Chang
Assistant City Attorney
City of Houston
Legal Department
P. O. Box 1562
Houston, Texas 77251-1562

OR2008-10649

Re: Request for all investigative reports, photos, measurements and test results taken by HFD arson investigators in connection with an apartment fire that occurred on August 16, 2007 in the 4500 block of Alvin Street, Houston, Texas 77051.

Dear Ms. Chang:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 323847.

After reviewing your arguments and the submitted 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 submitted 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 submitted information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. We note that the submitted information includes court documents. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17); *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). Thus, if the information has been filed with a court, you must release the information.

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. You may also contact our Open Government Hotline at 1-877-OPENTEX.

REF: 323847

Enc: Submitted documents

cc: Mr. Robert D. Kennedy
Terry Bryant, Attorneys at Law
West Memorial Office Park
3584 Katy Freeway, Suite 100
Houston, Texas 77024
(w/o enclosures)