



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 26, 2009

Mr. David K. Walker
County Attorney
Montgomery County
207 West Phillips, 1st Floor
Conroe, Texas 77301

OR2009-00942

Re: Request for police report and all existing evidence regarding a resisting arrest and eluding incident, case #08-244337, 2009-0019

Dear Mr. Walker:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 338041.

After reviewing your arguments and submitted report number 08-A009897, 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. To the extent the other two requested reports exist, we assume you have released them. *See Gov't Code §§ 552.301, .302.*

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.

Enc: Submitted documents

cc: Requestor
(w/o enclosures)