



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

July 6, 2009

Ms. Cara Leahy White
Attorney for City of Southlake
Taylor Olsen Adkins Sralla & Elam L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107-4654

OR2009-09191

Re: Request for information regarding Southlake Police Department Incident
No. 08SP033122 involving assault with a deadly weapon on July 19, 2008

Dear Ms. White:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 353954.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim 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 the submitted information includes documents that may have been filed with a court. 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.

Enc: Submitted documents

c: Requestor
(w/o enclosures)