



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 28, 2009

Ms. M. Ann Montgomery  
Assistant Ellis County Attorney and District Attorney  
Ellis County  
1201 North Highway 77, Suite 104  
Waxahachie, Texas 75165-7832

OR2009-12137

Re: Request for all info regarding the arrest of named person including but not limited to a copy of arrest affidavit along with the affidavit of non-prosecution which was filed on his behalf

Dear Ms. Montgomery:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 359287.

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 marked information and the CD 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 marked information and the CD. However, you must release the basic information pursuant to section 552.108(c) of the Government Code.

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

c: Requestor  
(w/o enclosures)