



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 22, 2009

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

OR2009-13304

Dear Mr. Dodd:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 360976 (Client ID#38738).

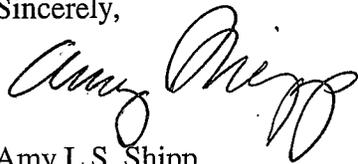
The City of Allen (the "city"), which you represent, received a request for information pertaining to incident number 08069019. You claim the requested information is excepted from disclosure under sections 552.103 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

We note the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2009-12379 (2009). As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the city may continue to rely on that ruling as a previous determination and withhold or release the requested information in accordance with Open Records Letter No. 2009-12379. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As our ruling is dispositive, we need not address your arguments against disclosure.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/rl

Ref: ID# 360976

Enc. Submitted documents

cc: Requestor
(w/o enclosures)