



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 19, 2009

Ms. D. Armstrong  
Administrative Assistant  
Criminal Division  
Hood County Sheriff's Office  
400 Deputy Larry Miller Drive  
Gradbury, Texas 76048

OR2009-16483

Dear Ms. Armstrong:

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# 366781.

The Hood County Sheriff's Office (the "sheriff") received a request for information in the requestor's jail fail pertaining to a specified case. You indicate the sheriff need not comply with the request pursuant to section 552.028 of the Government Code. We have considered your argument and reviewed the submitted information.

Section 552.028 of the Government Code provides:

(a) A governmental body is not required to accept or comply with a request for information from:

- (1) an individual who is imprisoned or confined in a correctional facility; or
- (2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under this chapter.

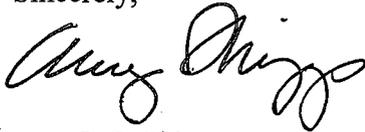
(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

Gov't Code § 552.028(a)- (b). You state, and the request indicates, that the requestor is an inmate confined in the Hood County Jail. Based on your representation and our review, we find that section 552.028 of the Government Code is applicable in this instance. Therefore, the sheriff need not comply with this request for information.

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](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# 366781

Enc. Submitted documents

cc: Requestor  
(w/o enclosures)