



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 18, 2013

Mr. Brent A. Money
Counsel for the City of Greenville
Scott, Money, Ray & Thomas, P.L.L.C.
P.O. Box 1353
Greenville, Texas 75403-1353

OR2013-01135

Dear Mr. Money:

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# 476695.

The City of Greenville (the "city"), which you represent, received a request for correspondence between the city, the city's police department, the Greenville Independent School District, and the family or friends of a named individual. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note you have only submitted an offense report for our review. Thus, to the extent any additional responsive information existed when the present request was received, we assume it has been released. If such information has not been released, then it must be released at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes that no exceptions apply to requested information, it must release information as soon as possible).

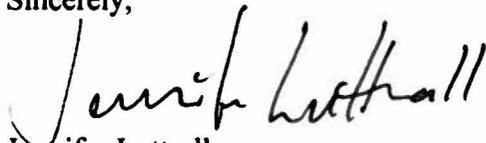
Next, we note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2013-00028 (2013). In that ruling, we concluded, among other things, the city must withhold incident report number 2012-00023847 under section 552.101 of the Government Code in conjunction with section 58.007(c) of the Family Code. As we have no indication the law,

facts, and circumstances on which the prior ruling was based have changed, the city must continue to rely on Open Records Letter No. 2013-00028 as a previous determination and withhold the submitted information in accordance with that ruling. *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).¹

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,



Jennifer Luttrall
Assistant Attorney General
Open Records Division

JL/som

Ref: ID# 476695

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As we are able to make this determination, we do not address your arguments against disclosure.