



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 31, 2013

Ms. Natasha Brooks
Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 78702-1152

OR2013-09086

Re: Request for any and all documents relating to the incident on 05/09/13 involving a named individual, at 1400 block of Venture Ave., police report no. 130509009; request ID# 12362

Dear Ms. Brooks:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 494744.

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 have released the CR-3 Form and Forms DIC-24 and DIC-25 and claim the remaining 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 remaining information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. We also note the submitted information includes documents that may have been filed with a court (pages 85, 92, and 93). 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)