



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 17, 2014

Ms. Evelyn W. Kimeu  
Staff Attorney  
City of Houston Police Department  
1200 Travis  
Houston, Texas 77002-6000

OR2014-06404

Dear Ms. Kimeu:

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# 520029 (ORU# 14-0216).

The Houston Police Department (the "department") received a "request for productions" and a "request for admissions" seeking information pertaining to a specified incident. You claim the request is not a request for information under the Act. We have considered the submitted argument.

Section 552.0055 of the Government Code provides, "[a] subpoena duces tecum or a request for discovery that is issued in compliance with a statute or a rule of civil or criminal procedure is not considered to be a request for information under this chapter." Gov't Code § 552.0055. The submitted "request for admissions" states it was issued under the authority of rule 198.1 of the Texas Rules of Court. You further indicate the submitted "request for productions" was issued under rule 196.1 of the Texas Rules of Civil Procedure. You inform us the requests were made in connection with a criminal prosecution before the City of Houston's municipal court, and you state the department believes the requests were made under discovery procedures. Based on our review and your representations, we conclude the department did not receive a written request for public information that triggered the Act. Because the Act is not implicated, this office is not authorized to rule on the requested information, and we will not address the public availability of the requested information under the Act.

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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in cursive script, appearing to read "Claire V. Morris Sloan".

Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/som

Ref: ID# 520029

c: Requestor