



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 19, 2014

Mr. Donald R. Stout  
Counsel for the City of Midlothian  
Colvin & Stout, P.C.  
P.O. Box 597  
Ennis, Texas 75120

OR2014-23142

Dear Mr. Stout:

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# 547577.

The City of Midlothian (the "city"), which you represent, received a request for all information pertaining to the death of a named individual. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information. We have also received and considered comments from the requestor. *See* Gov't Code § 552.304 (providing that interested party may submit comments stating why information should or should not be released).

Initially, 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. 2014-18813 (2014). In Open Records Letter No. 2014-18813, we determined, in relevant part: the city must withhold the information we marked under section 552.101 of the Government Code in conjunction with the Medical Practice Act, common-law privacy, and constitutional privacy and the holding in *Favish*; the city must withhold the information we marked under section 552.1175 of the Government Code if the individual at issue is a licensed peace officer and elects to restrict access to this information in accordance with section 552.1175(b) of the Government Code; the city must withhold the information we marked under sections 552.130 and 552.137 of the Government Code; the city must withhold the account

numbers we marked under section 552.136 of the Government Code if they pertain to a living individual; and the city must release the remaining information, but may only release any copyrighted information in accordance with copyright law. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, we conclude the city may continue to rely on Open Records Letter No. 2014-18813 as a previous determination and withhold or release the information in accordance with that ruling.

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,



Lee Seidlits  
Assistant Attorney General  
Open Records Division

CLS/som

Ref: ID# 547577

Enc. Submitted documents

c: Requestor  
(w/o enclosures)