



January 8, 2015

Ms. Natasha Brooks  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79701

OR2015-00366

Re: Request for the police report, DWI, and BAC regarding an incident on 11/28/14 involving named individual, MPD Report #141129008; Request ID #15619

Dear Ms. Brooks:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 555781.

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 search warrant and DIC-24 form 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 some of 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 a judicial order that may have been filed with a court. 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, please refer to the open government information on our website at <https://www.oag.state.tx.us/open/memorulings.shtml>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor  
(w/o enclosures)