



January 12, 2015

Mr. Vance Hinds
Assistant County & District Attorney
Ellis County District Attorney's Office
109 South Jackson
Waxahachie, Texas 75165

OR2015-00520

Re: Request for arrest record, incident report and any witness statements regarding an incident on 12/11/14 involving a named individual

Dear Mr. Hinds:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 556091.

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 claim the information marked as "552.108" may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the information and have determined that in accordance with section 552.108(a)(1) you may withhold some of the information marked as "552.108." However, we note the submitted information includes a document 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. Lastly, we agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code.

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)