



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 16, 2015

Mr. Thomas L. McMillian  
Assistant District Attorney  
County of Potter  
47th Judicial District of Texas  
Potter County Courts Building  
501 South Fillmore, Suite 5A  
Amarillo, Texas 79101-2449

OR2015-04972

Dear Mr. McMillian:

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# 561589.

The 47th Judicial District Attorney's Office (the "district attorney's office") received a request for information pertaining to a specified arrest. You claim the submitted information is excepted from disclosure under sections 552.101, 552.108, 552.1175, and 552.130 of the Government Code. We have considered the exceptions you claim.

Initially, you inform us the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2015-03109 (2015). In that ruling, we determined with the exception of the marked document that may be subject to section 552.022(a)(17) and the basic information, the city may withhold the submitted information under section 552.108(a)(1) of the Government Code. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we conclude the district attorney's office may rely on Open Records Letter No. 2015-03109 as a previous determination and withhold or release the identical information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely

same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we need not consider your arguments against disclosure.

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,



Nicholas A. Ybarra  
Assistant Attorney General  
Open Records Division

NAY/cbz

Ref: ID# 561589

Enc. Submitted documents

c: Requestor  
(w/o enclosures)