



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

March 23, 2015

Mr. Gary A. Scott  
Assistant City Attorney  
City of Conroe  
Legal Department  
P.O. Box 3066  
Conroe, Texas 77305

OR2015-05460

Dear Mr. Scott:

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# 558488.

The City of Conroe (the "city") received a request for the radio transmission pertaining to a specified traffic stop. The city claims the requested information is excepted from disclosure under sections 552.108 and 552.130 of the Government Code. We have considered the claimed exceptions and reviewed the submitted information.

Section 552.108(a)(2) of the Government Code excepts from disclosure information concerning an investigation that concluded in a result other than conviction or deferred adjudication. Gov't Code § 552.108(a)(2). A governmental body claiming section 552.108(a)(2) must demonstrate the information at issue relates to a criminal investigation that has concluded in a final result other than conviction or deferred adjudication. *See id.* §§ 552.108(a)(2), .301(e)(1)(A). The city states the submitted information pertains to a case that concluded in a result other than conviction or deferred adjudication. Therefore, we agree the city may withhold the submitted information under section 552.108(a)(2) of the Government Code.<sup>1</sup>

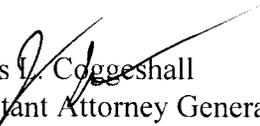
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<sup>1</sup>As our ruling is dispositive, we do not address your other argument to withhold this information.

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,

  
James V. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/cbz

Ref: ID# 558488

Enc. Submitted documents

c: Requestor  
(w/o enclosures)