



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

May 21, 2015

Ms. Amanda Speer  
Assistant District Attorney  
52nd Judicial District  
County of Coryell  
P.O. Box 919  
Gatesville, Texas 76528

OR2015-09994

Dear Ms. Speer:

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# 571925.

The 52nd Judicial District Attorney's Office, Coryell County (the "district attorney's office"), received a request for basic information in a specified case file pertaining to a named individual. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note the requestor seeks only the basic information pertaining to the specified case. *See* Open Records Decision No. 127 (summarizing types of information considered to be basic information). The district attorney's office has submitted information beyond the basic information. Thus, the portions of the submitted documents that do not consist of basic information are not responsive to the present request. This ruling does not address the public availability of any information that is not responsive to the request, and the district attorney's office is not required to release that information in response to the request. Thus, we only address your arguments for the requested basic information.

You assert the requested basic information is excepted from disclosure under section 552.108 of the Government Code. Section 552.108(a)(1) of the Government Code excepts from

disclosure “[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime[.]” Gov’t Code § 552.108(a)(1). Section 552.108(a)(2) excepts from disclosure information concerning an investigation that did not result in conviction or deferred adjudication. *See id.* § 552.108(a)(2). However, section 552.108 is inapplicable to basic information about an arrested person, an arrest, or a crime. *Id.* § 552.108(c). Basic information refers to the information held to be public in *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.—Houston [14th Dist.] 1975), *writ ref’d n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976). *See* ORD 127. Thus, the district attorney’s office may not withhold the basic information under section 552.108 of the Government Code. Accordingly, the district attorney’s office must release the requested basic information to the requestor.

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,



Cindy Nettles  
Assistant Attorney General  
Open Records Division

CN/dls

Ref: ID# 571925

Enc. Submitted documents

c: Requestor  
(w/o enclosures)