



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 5, 2015

Ms. Delietrice Henry  
Open Records Assistant  
City of Plano  
City of Plano Police Department  
P.O. Box 860358  
Plano, Texas 75086-0358

OR2015-10664A

Dear Ms. Henry:

This ruling examines Open Records Letter No. 2015-10664 (2015) and whether certain information is subject to required public disclosure under chapter 552 of the Government Code.

The Plano Police Department (the "department") received a request for information concerning an August 23, 2011 incident at the requestor's residence. We have re-examined our ruling in Open Records Letter No. 2015-10664 and determined we made an error. Where this office determines an error was made in the decision process under sections 552.301 and 552.306 of the Government Code, and that error resulted in an incorrect decision, we will correct the previously issued ruling. Consequently, this decision serves as the correct ruling and is a substitute for the decision issued on June 1, 2015.

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 requested information relates to a criminal investigation that has concluded in a final result other than a conviction or deferred adjudication. The department asserts the information pertains to a case that concluded in a result other than conviction or deferred adjudication. Therefore, we agree section 552.108(a)(2) is applicable, and the department may withhold the information it marked.

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,

A handwritten signature in cursive script, appearing to read "Yen-Ha Le".

Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/cz

Ref: ID# 573229

c: Requestor