



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 3, 2015

Mr. Stephen D. Gates
Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702

OR2015-23021

Dear Mr. Gates:

This is in reference to your request for a decision, which was assigned ID# 585984 (ID# 17446).

The City of Midland (the "city") received a request for the front page report or police blotter information pertaining to a specified incident on a specified date.¹ You state you have released the requested information. You claim some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Generally, the Public Information Act (the "Act"), chapter 552 of the Government Code, authorizes the Office of the Attorney General to render decisions and opinions in two situations. The first occurs when a governmental body receives a written request for information from an individual or entity acting as a member of the public and requests a ruling from this office because the governmental body wishes to withhold responsive information in accordance with one of the Act's exceptions to disclosure. *See* Gov't Code §§ 552.301, .306. The second situation occurs when this office issues "materials, including detailed and comprehensive written decisions and opinions, that relate to or are based on

¹You state the city received clarification of the request for information. *See* Gov't Code § 552.222(b) (stating governmental body may communicate with requestor for purpose of clarifying or narrowing request for information).

[the Act]” in order to “maintain uniformity in the application, operation, and interpretation of [the Act.]” *Id.* § 552.011.

As noted above, the request for information was for the front page report or police blotter information pertaining to a specified incident on a specified date, which you state the city has released. We note the remaining submitted information is not responsive to the present request for information. The Act does not require a governmental body to release non-responsive information. Accordingly, we understand the city does not seek to withhold any responsive information. Therefore, because this situation falls outside of the Act and beyond the scope of this office’s authority to render a decision, we consider this matter closed. If you have any questions with regard to this letter, please refer to ID# 585984.

Sincerely,

A handwritten signature in cursive script that reads "Cole Hutchison".

Cole Hutchison
Assistant Attorney General
Open Records Division

CH/bhf

Ref: ID# 585984

Enc. Submitted documents

c: Requestor
(w/o enclosures)