



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 12, 2016

Mr. Whitt L. Wyatt
Counsel for the City of Allen
Nichols, Jackson, Dillard, Hager & Smith
1800 Lincoln Plaza
500 North Akard Street
Dallas, Texas 75201

OR2016-00892

Re: Request for any and all records, reports, memorandum, or otherwise, pertaining to 2 named individuals regarding criminal investigation for charges of theft and tampering with government document now pending in the Collin County District court cause no. 199-83285/6-2015; reference no. W001129-121515; Nichols reference no. 74819

Dear Mr. Wyatt:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 601229.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim the information in Exhibit C may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(1) you may withhold the information in Exhibit C. Also, you must withhold the marked motor vehicle record information in Exhibit B under section 552.130 of the Government Code. Lastly, for any living persons' dates of birth contained in Exhibit B, you must withhold them pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.).

For more information on the cited exception, please refer to the open government information on our website at <https://www.oag.state.tx.us/open/memorulings.shtml>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor
(w/o enclosures)