



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

February 5, 2016

Mr. Keith R. Bradford  
Assistant County Attorney  
Nacogdoches County  
101 West Main Street, Room 230  
Nacogdoches, Texas 75961

OR2016-02868

Dear Mr. Bradford:

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# 597580.

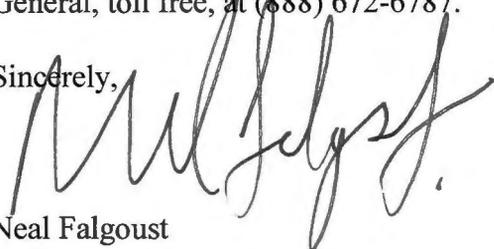
Nacogdoches County (the "county") received a request for information concerning a specified homicide investigation. The county released information responsive to the request but made redactions as permitted by section 552.130 of the Government Code without a ruling from this office. Gov't Code § 552.130(c). Pursuant to section 552.130(d), the requestor has asked this office to review the information and render a decision as to whether it is excepted from disclosure under section 552.130(a). *See id.* § 552.130(d). We have considered the county's position and reviewed the information.

Section 552.130 of the Government Code excepts from disclosure information relating to a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country. *Id.* § 552.130(a)(1). We note section 552.130 is designed to protect individual privacy, and the right to privacy lapses at death. *See Moore v. Charles B. Pierce Film Enters., Inc.*, 589 S.W.2d 489, 491 (Tex. App.—Texarkana 1979, writ ref'd n.r.e.); *see also* Open Records Decision No. 272 at 1 (1981) (privacy rights lapse upon death). The county may not withhold the information you redacted that relates to deceased individuals. However, the county must withhold the remaining information you redacted under section 552.130 of the Government Code.

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,



Neal Falgoust  
Assistant Attorney General  
Open Records Division

NF/bhf

Ref: ID# 597580

Enc. Submitted documents

c: Requestor  
(w/o enclosures)