



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 21, 2016

Ms. Rhonda Modisette
Records Supervisor
City of Nacogdoches
P.O. Box 635030
Nacogdoches, Texas 75963-5030

OR2016-06426

Re: Request for any information related to named individuals. Nacogdoches Case # P15-05904.

Dear Ms. Modisette:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 610627.

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. First, we note a request to compile an individual's criminal history implicates this person's privacy. We have concluded such a compilation is highly embarrassing information and is generally not of legitimate concern to the public. Therefore, to the extent you maintain law enforcement records depicting any of the named individuals as a suspect, arrestee, or criminal defendant, you must withhold the requested information under section 552.101 of the Government Code in conjunction with common-law privacy. You also claim the information marked as "552.108" may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the information and have determined that in accordance with section 552.108(a)(1) you may withhold some of the information marked as "552.108." However, you must release the complainant's identification and description from report number P14-20623 as basic information pursuant to section 552.108(c). We agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code. In accordance with section 58.007 of the Family Code, you must withhold report number P15-14623 pursuant to section 552.101 of the Government Code.

Lastly, for any living persons' dates of birth contained in the submitted information, 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)