



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 26, 2016

Mr. Matthew L. Grove
Assistant County Attorney
County of Fort Bend
401 Jackson Street, 3rd Floor
Richmond, Texas 77469

OR2016-12084

Dear Mr. Grove:

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# 611949.

The Fort Bend County Sheriff's Office (the "sheriff's office") received a request for any statements, press releases, or e-mails to the media from the sheriff's office, the Fort Bend County District Attorney's Office, or other prosecutors pertaining to specified indictments.¹ You claim the submitted information is excepted from disclosure under section 552.107 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.107(2) of the Government Code provides that information is excepted from disclosure if "a court by order has prohibited disclosure of the information." Gov't Code § 552.107(2). You have submitted a copy of a court order that provides in part:

[It is] ORDERED that no party to this cause of action, nor any attorney connected with this case as defense counsel or prosecutor, nor any other attorney, judicial officer, employee, public official, including, but not limited

¹We note the sheriff's office sought and received clarification of the information requested. *See* Gov't Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); *see also* *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding when governmental entity, acting in good faith, requests clarification of unclear or overbroad request for public information, ten-business-day period to request attorney general opinion is measured from date request is clarified or narrowed).

to, any chief of police or sheriff, or any agent, detective, deputy or employee of such persons, or any grand juror, or any witness having appeared before the Grand Jury or summoned by request or subpoena to testify in this cause of action, shall release or authorize the release for public dissemination of any matters relating to this case, except that which has been adduced into evidence and argument in open court.

Restrictive Order (268th Dist. Ct., Fort Bend County, Tex., March 7, 2016). You indicate the submitted information pertains to the cause of action specified in the submitted court order and has not been adduced into evidence and argument in open court. Based on your representations and our review, we agree a court by order has prohibited disclosure of the information at issue. Accordingly, the sheriff's office must withhold the submitted information under section 552.107(2) 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, 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,



Kenny Moreland
Assistant Attorney General
Open Records Division

KJM/som

Ref: ID# 611949

Enc. Submitted documents

c: Requestor
(w/o enclosures)