



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

February 9, 1990

Mr. William J. Delmore, III
General Counsel
Office of the District Attorney
201 Fannin, Suite 200
Houston, Texas 77002

Dear Mr. Delmore:

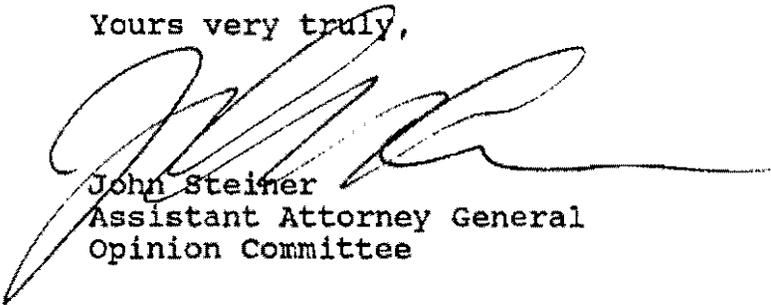
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8148; this decision is OR90-062.

We have considered the exception you claimed, specifically section 3(a)(3), and have reviewed the documents at issue. You advise this office that litigation concerning the subject matter of the requested documents is presently pending. Previous determinations of this office, e.g. Open Records Decision No. 350, a copy of which is enclosed, have noted the applicability of section 3(a)(3) when litigation is pending. For this reason, you may withhold the requested information.

As section 3(a)(3) is dispositive of your request, the applicability of section 3(a)(8) has not been considered.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-062.

Yours very truly,


John Steiner
Assistant Attorney General
Opinion Committee

JS/le

Ref.: ID# 8148, 7690

Enclosure: Open Records Decision No. 350