



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

June 27, 1990

Mr. Robert Shaddock
General Counsel
State Department of Highways
and Public Transportation
11th and Brazos
Austin, Texas 78701-2483

OR90-273

Dear Mr. Shaddock:

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# 9712.

The State Department of Highways and Public Transportation received an open records request for information relating to a highway accident. Prior to the open records request, the department received a notice of claim and injury. You seek to withhold the requested information under section 3(a)(3) of the Open Records Act because you believe that litigation against the department concerning the accident may reasonably be anticipated.

We have considered the exception you claimed and have reviewed the documents at issue. Previous determinations of this office, Open Records Decision Nos. 551 (1990); 383 (1983), copies of which are enclosed, resolve your request. For this reason, you may withhold the requested information.

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 OR90-273.

Yours very truly,

David Newton

David A. Newton
Assistant Attorney General
Opinion Committee

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Ref. 2, ID# 9712

cc: Mr. David W. Showalter
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