



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

August 8, 1990

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

OR90-364

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# 10153.

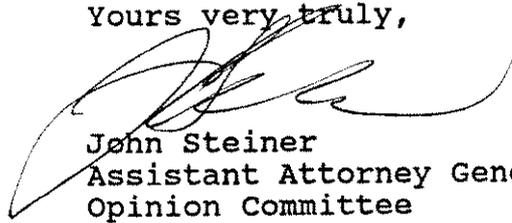
The District Attorney for Harris County received an open records request from an individual for "any and all records concerning me and my case." You state, however, that your office is unable to locate the requestor's file that relates to the requestor's criminal prosecution.

The Open Records Act does not require a governmental body to prepare new information in response to a requestor. Open Records Decision No. 342 (1982). Consequently, if the requested information is in fact lost, you must inform the requestor that you are unable to comply with his request. If the city locates the requested documents, you may make a subsequent request for an open records decision at that time.

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 pub-

lished open records decision. If you have questions about this ruling, please refer to OR90-364.

Yours very truly,



John Steiner
Assistant Attorney General
Opinion Committee

JS/RWP/le

Ref.: ID# 10153

cc: Paul W. Bess
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Suite 103
Houston, Texas 77061