



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOX  
ATTORNEY GENERAL

October 10, 1990

Mr. Alexander J. Gonzales  
Acting Commissioner of Insurance  
State Board of Insurance  
1110 San Jacinto  
Austin, Texas 78701-1998

OR90-475

Dear Mr. Gonzales:

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# 10439.

The State Board of Insurance (the board) received open records requests for all correspondence between the board and the Tarrant County District Attorney's Office and any insurer with regard to Larry Wayne Tyler. We have considered the exceptions you claimed and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 551 (1990), resolves your request. Based on your representation that Mr. Tyler is currently under investigation for violations of state insurance laws and that "[i]t is highly likely that the investigation will result in administrative litigation to enforce applicable laws," you may withhold the requested information pursuant to section 3(a)(3) of the Open Records Act until the documents are properly sought during the discovery process.

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 OR90-475.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison  
Assistant Attorney General  
Opinion Committee

SG/RWP/le

Ref.: ID# 10439  
ID# 10483  
ID# 10502

cc: Pat Barnhard  
State Board of Insurance

Hector De Leon  
480 Austin Centre  
701 Brazos Street  
Austin, Texas 78701

Larry M. Thompson  
Assistant Criminal District Attorney  
Economic Crimes Section  
200 West Belknap Street  
Fort Worth, Texas 76196-0201