



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTON  
ATTORNEY GENERAL

October 16, 1990

Mr. Leonard W. Peck, Jr.  
Assistant General Counsel  
Texas Department of Criminal Justice  
P.O. Box 99  
Huntsville, Texas 77342-0099

OR90-499

Dear Mr. Peck:

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# 9171.

We have considered the exception you claimed, and have reviewed the documents at issue. With respect to the requestor's criminal history, a previous determination of this office, Open Records Decision No. 565 (1990), a copy of which is enclosed, resolves your request. For this reason, you must release the requested information.

With respect to the information relating to specific offenses for which the requestor entered the custody of the Department of Criminal Justice, you assert no exceptions to public disclosure. Accordingly, we have no basis on which to consider any claim of exception for this material.

We note your question regarding whether a governmental body may decline to act upon a request, by seeking an attorney general decision, until a deposit toward the cost of providing copies has been made where the requestor is unable to present himself to review the original documents. However, such a question is beyond the scope of a decision under section 7 of the Open Records Act. Such a question would be within the attorney general's authority under section 402.042 of the Government Code, if received from an authorized requestor.

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 OR90-499.

Yours very truly,



John Steiner  
Assistant Attorney General  
Opinion Committee

JS/le

Ref.: ID# 9171, 9151

Enclosure: Open Records Decision No. 565  
Documents Submitted

cc: Mark McConnell  
TDCJ #520442  
Beto I Unit  
P.O. Box 128  
Tennessee Colony, Texas 75861