



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

December 21, 1990

Honorable James L. Anderson, Jr.
Aransas County Attorney
301 N. Live Oak
Rockport, Texas 78382

OR90-584

Dear Mr. Anderson:

By letter of November 20, 1990, you ask whether certain information must be disclosed to a member of the public under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11162.

The district clerk of Aransas County has received a request to inspect or copy any criminal complaints filed in her office against a named individual. You indicate that if any such complaint is in the clerk's office, the only place it might be is in a sealed Grand Jury envelope, which she received from a magistrate to hold and deliver to the Grand Jury of Aransas County pursuant to articles 17.30 and 17.31 of the Texas Code of Criminal Procedure.

The Open Records Act does not apply to the judiciary. V.T.C.S. art. 6252-17a, § 2(1)(G); see Euresti v. Valdez, 769 S.W.2d 575 (Tex. App. Corpus Christi 1989, no writ). Nor does it apply to records of the judiciary held by the district clerk. Attorney General Opinion H-826 (1976); Open Records Decision No. 25 (1974) (complaints filed with the justice of the peace). Accordingly, the contents of the sealed envelope are not available to the requestor pursuant to the Open Records Act.

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 OR90-584.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/le

Ref.: ID# 11162

Enclosure: Attorney General Opinion H-826, Open Records
Decision No. 25

cc: Scott Williams
P.O. Box 9136
Corpus Christi, Texas 78469