



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 3, 1993

Ms. Virginia Pendergrass Bucy
Assistant Attorney General
Consumer Protection Division
Office of the Attorney General
714 Jackson, Suite 800
Dallas, Texas 75202-4506

OR93-231

Dear Ms. Bucy:

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# 19846.

The Attorney General's Consumer Protection Division (the "division") has received two requests for certain information relating to the division's enforcement of the Deceptive Trade Practices Act, chapter 17 of the Business and Commerce Code. Specifically, the requestor seeks "any letters or notifications of intent to bring suit under the D.P.T.A. sent within the last 7 days by your office." You state that you "are not aware of any such notifications." The Open Records Act does not require a governmental body to release information that it does not possess or that does not exist. Open Record Decision Nos. 558 (1990); 362 (1983). Accordingly, you need not respond to the requests to the extent that they seek information that does not exist. As we resolve your request on these grounds, we need not address your claim that the type of information requested is excepted from required public disclosure by section 3(a)(3) of the Open Records Act.

Because 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 contact our office.

Yours very truly,

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

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/GCK/le

Ref.: ID# 19846
ID# 19424

cc: Mr. Vince Patton
WFAA-TV
Communications Center
Dallas, Texas 75202