



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 27, 1994

Ms. Gretchen Kuehn Bohnert  
Assistant City Attorney  
City of Houston  
Legal Department  
P.O. Box 1562  
Houston, Texas 77251-1562

OR94-270

Dear Ms. Bohnert:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 23983.

The City of Houston received an open records request for certain records that you contend may be withheld from the public pursuant to the Open Records Act, section 552.103(a) of the Government Code. To secure the protection of section 552.103(a), a governmental body must demonstrate that requested information "relates" to a pending or reasonably anticipated judicial or quasi-judicial proceeding. Open Records Decision No. 551 (1990). In this instance you have not made the requisite showing that the requested information relates to pending litigation for purposes of section 552.103(a).

You explain that the pending litigation in this instance is the trial of an individual for attempted capital murder of a police officer and other offenses, including aggravated robbery. The requested information is information about the police vehicle driven by the officer whom the individual is accused of assaulting, including work orders of work on the car and a roster of police officers assigned to the car during a certain time period. You have not explained how this information relates to the pending criminal proceedings. Consequently, section 552.103(a) of the Government Code does not apply and the requested records must be released.

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 contact our office.

Yours very truly,



Kay H. Guajardo  
Assistant Attorney General  
Open Government Section

KHG/rho

Ref.: ID# 23983

Enclosure: Submitted documents

cc: Ms. Leslie W. Morgan  
SPN# 299307  
1301 Franklin Street, #505  
Houston, Texas 77002  
(w/o enclosures)