



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 17, 1996

Mr. Christopher C. Lopez
Attorney, Legal Services
MHMR Central Office
P.O. Box 12668
Austin, Texas 78711

OR96-1707

Dear Mr. Lopez:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 100695.

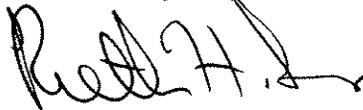
The Department of Mental Health and Mental Retardation received a request for information pertaining to the investigation of certain complaints. You assert that the information at issue is excepted from disclosure pursuant to sections 552.103, 552.107, and 552.108 of the Government Code.

Section 552.108 may be invoked by the proper custodian of information even if the custodian is not a law enforcement agency under certain circumstances. Open Records Decision Nos. 474 (1987) at 4-5, 434 (1986) at 2; *see also Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). Based upon the information provided this office, we conclude that the documents at issue may be withheld from disclosure under section 552.108. As the information at issue may be withheld from disclosure pursuant to section 552.108, we need not address your other arguments against disclosure.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref.: ID# 100695

Enclosures: Submitted documents

cc: Mr. William Moss
c/o MHMR
P.O. Box 12668
Austin, Texas 78711
(w\o enclosures)