



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 9, 1997

Ms. Ruby Garcia
Refugio County District Clerk
County Courthouse
P.O. Box 736
Refugio, Texas 78377-0736

OR97-2001

Dear Ms. Garcia:

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# 109142.

The Refugio District Court received a request for the search warrants, arrest warrants, and affidavits for two individuals. You claim that the requested information is excepted from disclosure under sections 552.003, 552.107, and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.003(b) of the Government Code excludes the judiciary from the Open Records Act. Therefore, the Open Records Act neither authorizes information held by the judiciary to be withheld nor requires it to be disclosed. See Open Records Decision No. 25 (1974). Accordingly, the requested information is not subject to public disclosure under chapter 552 of the Government Code. However, Texas courts have long recognized a common-law right to copy and inspect certain judicial records. Attorney General Opinion DM-166 (1992); Open Records Decision No. 618 (1993).

Because we are able to make a determination under section 552.003(b), we do address your other exceptions to 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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/alg

Ref.: ID# 109142

Enclosures: Submitted documents

cc: Ms. Christine Laue
Staff Writer
Corpus Christi Caller-Times
P.O. Box 9136
Corpus Christi, Texas 78469
(w/o enclosures)