



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 22, 1997

The Honorable James A. Koen
Justice of the Peace, Precinct 4
County of Waller
P.O. Box 505
Pattison, Texas 77466

OR97-2120

Dear Judge Koen:

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# 109472.

Your office received a request for certain information regarding a speeding ticket. You claim that the requested information is excepted from disclosure under section 552.108 of the Government Code. You also claim that you do not have a copy of the requested information.

The Open Records Act applies to information held by the executive and legislative branches of government at the state and local level. The Open Records Act does not apply to the judiciary. Gov't Code § 552.003(B). Therefore, as a member of the judiciary, you need not release the requested information. Attorney General Opinion DM-166 (1992). Please note that if the records are maintained by a governmental body, such as a city law enforcement agency, they may be public information under the Open Records Act and subject 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,

A handwritten signature in black ink, appearing to read "June B. Harden". The signature is written in a cursive style with a large initial "J".

June B. Harden
Assistant Attorney General
Open Records Division

JBH/alg

Ref.: ID# 109472

cc: Mr. Anthony Bunger
2708 Delmonte Avenue
Dayton, Ohio 45419
(w/o enclosures)