



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 6, 1998

Ms. Tana K. Van Hamme  
The Ronquillo Law Firm, P.C.  
Harwood Center  
1999 Bryan Street, Suite 3450  
Dallas, Texas 75201

OR98-0041

Dear Ms. Van Hamme:

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# 111655.

The Dallas Independent School District (the "school district") received a request for a "[s]ubpoena from Grand Jury dated: September 30, 1997, as well as any and all purchase orders made out to Rosewood Company since January 1997." You claim that the subpoena and documents listed for production before the grand jury are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 excepts from required public disclosure information that is considered confidential by law, either constitutional, statutory, or by judicial decision. Rule 6(e) of the Federal Rules of Criminal Procedure provides that the disclosure of matters occurring before a grand jury can be made only as ordered by the court, except that disclosure can be made without a court order to government attorneys and personnel. *See* Open Records Decision No. 403 (1983). After reviewing the documents submitted for our review, we conclude that you must, at this time, withhold the requested information from disclosure under section 552.101 of the Government Code.

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,



Vickie Prehoditch  
Assistant Attorney General  
Open Records Division

VDP/ glg

Ref.: ID# 111655

Enclosures: Submitted documents

cc: Ms. P.J. Ward  
WFAA-TV News 8  
696 Young Street  
Dallas, Texas 75202  
(w/o enclosures)