



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 15, 1998

Mr. Kevin D. Pagan  
Assistant City Attorney  
City of McAllen  
P.O. Box 220  
McAllen, Texas 78505-0220

OR98-0128

Dear Mr. Pagan:

You ask this office to reconsider our ruling in Open Records Letter No. 97-2399 (1997). Your request for reconsideration was assigned ID# 112488.

The McAllen Police Department (the "department") received an open records request for its records pertaining to Offense Number 97-30031. In Open Records Letter No. 97-2399 (1997), this office concluded that the department could not withhold the requested information under section 552.108 of the Government Code.

You have provided us with additional arguments in an attempt to demonstrate the applicability of section 552.108 to this request for information. A governmental body must explain the reasons why the stated exceptions apply within fifteen days of receiving the request. *See Gov't Code*. You did not timely submit all your arguments under section 552.108 in connection with the department's original request for a ruling. We, therefore, affirm Open Records Letter No. 97-2399 (1997). If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script that reads "Loretta DeHay".

Loretta R. DeHay  
Deputy Chief  
Open Records Division

LRD/rho

Ref: ID# 112488

cc: Mr. Roel Esquivel  
316 Nolana Loop  
McAllen, Texas 78504