



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 14, 1998

Mr. Charles M. Allen, II
Legal Office
Richardson Police Department
P.O. Box 831078
Richardson, Texas 75088-1078

OR98-2431

Dear Mr. Allen

You ask this office to reconsider our decision in Open Records Letter No. 98-2189 (1998). Your request for reconsideration was assigned ID# 120483.

Open Records Letter No. 98-2189 (1998) concluded that the City of Richardson (the "city") must withhold certain information based on sections 552.101, 552.117 and 552.130 of the Government Code. The ruling also concluded that the city had not established the applicability of section 552.103 of the Government Code to the requested information. You ask that we reconsider our section 552.103 conclusion.

We have reviewed the information the city submitted in support of this request. We conclude that the city has established the applicability of section 552.103 to the information requested.¹ We therefore overrule Open Records Letter No. 98-2189 to the extent that it conflicts with this decision.

We are resolving this matter with this 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 may not be relied upon as a previous

¹If the opposing party in the litigation has seen or had access to any of the information in these records, there would be no justification for now withholding that information from the requestor pursuant to section 552.103(a). Open Records Decision Nos. 349 (1982), 320 (1982). In addition, the applicability of section 552.103(a) ends once the litigation is concluded. Attorney General Opinion MW-575 (1982); Open Records Decision No. 350 (1982).

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

Yours very truly,



Kay Hastings
Deputy Chief
Open Records Division

KHH/alg

Ref.: ID# 120483

cc: Mr. Dave Michaels
Staff Writer
Dallas Morning News
P.O. Box 655237
Dallas, Texas 75265

Mr. J. David Dodd, III
Nichols, Jackson, Dillard,
Hager & Smith, L.L.P.
500 North Akard, Suite 1800
Dallas, Texas 75201