



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 16, 1998

Ms. Jennifer D. Soldano
Associate General Counsel
Texas Department of Transportation
Dewitt C. Greer State Highway Building
125 E. 11th Street
Austin, Texas 78701-2483

OR98-2444

Dear Ms. Soldano:

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# 118969.

The Texas Department of Transportation (the "department") received two identical open records requests from different individuals for four categories of information. You state that the requestors have both rescinded their requests for items 3 and 4 and that the department has released to the requestors all documents responsive to item 2.

The request in item 1 of both requests seeks the following information:

Any and all documents, notes, recordings, whether mechanical or hard copies of all correspondence with Arnold Shields, for the last two years, 1997-1998.

You state that the department has released to the requestors documents responsive to this request. You have submitted three other documents to this office, however, of which you express uncertainty as to whether these documents come within the scope of the request. These documents on their face reveal that they do not constitute "correspondence with Arnold Shields." We therefore conclude that these documents do not come within the scope of the request. The department therefore need not release these documents at this time.

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

Yours very truly,



William M. Walker
Assistant Attorney General
Open Records Division

WMW/RWP/ch

Ref.: ID# 118969

Enclosures: Submitted documents

cc: Mr. Keith Ware
701 Rymal Road
Alvin, Texas 77511
(w/o enclosures)

Mr. Blu Shields
P.O. Box 2550
Galveston, Texas 77553-2550
(w/o enclosures)