



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 23, 1998

Mr. Mark E. Dempsey
Assistant City Attorney
City of Garland
P.O. Box 469002
Garland, Texas 75046-9002

OR98-2827

Dear Mr. Dempsey:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 119890.

The City of Garland received a request for a particular arrest report. You have submitted a copy of the requested report and marked certain portions which you seek to withhold under section 552.108 of the Government Code.

Section 552.108(a)(1) excepts from required public disclosure

(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if:

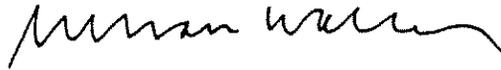
(1) release of the information would interfere with the detection, investigation, or prosecution of crime[.]

You advise that the case to which the requested report relates is "currently pending in Dallas County Criminal Court as case number MB9623925." Based on your representations, we conclude that you may withhold under section 552.108(a)(1) the portions of the requested report you have indicated.

Please note, however, that in addition to the portions we have determined you may withhold under section 552.108, the report also contains license plate and driver's license information which must be withheld under section 552.130 of the Government Code. The remaining information must be released.

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 Walker
Assistant Attorney General
Open Records Division

WMW/ch

Ref: ID# 119890

Enclosures: Submitted documents

cc: Mr. Bill Hutson
2619 Larry Drive
Garland, Texas 75041
(w/o enclosures)