



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

December 18, 1998

Ms. Julie B. Ross  
Haynes and Boone, L.L.P.  
201 Main Street, Suite 2200  
Fort Worth, Texas 76102-3126

OR98-3197

Dear Ms. Ross:

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# 120792.

The City of Coppell (the "city"), which you represent, received a request for various information pertaining to the investigation of David Lover. You contend that Mr. Lover's investigative file is excepted from disclosure pursuant to sections 552.101, 552.103 and 552.117 of the Government Code.<sup>1</sup> You have submitted a representative sample of documents to this office for review.<sup>2</sup>

We previously ruled on the applicability of sections 552.101 and 552.103 to the documents at issue. Open Records Letter No. 98-2867 (1998). This ruling is dispositive of the issues raised here. We have enclosed a copy of this ruling for your consideration. If you have questions about this letter, please contact our office.

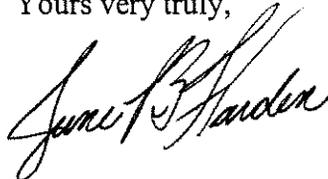
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<sup>1</sup>We do not believe that section 552.117(2) is applicable in this instance where a law enforcement agency is investigating an officer's alleged involvement in criminal activity.

<sup>2</sup>We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

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,



June B. Harden  
Assistant Attorney General  
Open Records Division

JBH/rho

Ref.: ID# 120792

Enclosures: Submitted documents  
Open Records Letter No. 98-2867 (1998)

cc: Mr. R. G. Harrell  
548 W. Oak Grove  
Coppell, Texas 75019  
(w/ Open Records Letter No. 98-2867 (1998))