



OFFICE *of the* ATTORNEY GENERAL
GREG ABBOTT

August 1, 2003

Ms. Rebecca L. Payne
Assistant General Counsel
Texas Department of Human Services
P.O. Box 149030
Austin, Texas 78714-9030

OR2003-5313

Dear Ms. Payne:

You seek a ruling from this office on behalf of the Texas Department of Human Services (the "department") concerning whether the department must release portions of an "OSCAR Report 4" requested by Ms. Trisha M. Love. We have assigned this request for a ruling identification number 185231.

The department has a lawsuit pending against the Office of the Attorney General over the release of similar information, *Texas Department of Human Services v. Abbott*, Cause No. GN302639, in the 53rd District Court of Travis County, Texas. Furthermore, your arguments here are the same arguments from the file that is now at issue in the litigation. Accordingly, we are closing our files on this matter without a finding and will allow the trial court to resolve the issue of whether records of the type at issue must be released to public requestors.

Sincerely,

Kristen Bates
Assistant Attorney General
Open Records Division

KAB/lmt

Ref: ID# 185231

Enc. Submitted documents

c: Ms. Trisha M. Love
Law Offices of Jeffrey H. Rasansky, P.C.
Turtle Creek Centre, Suite 1640
3811 Turtle Creek Blvd.
Dallas, Texas 75219
(w/o enclosures)