



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 3, 2007

Mr. John Ohnemiller  
Assistant City Attorney  
City of Midland  
P. O. Box 1152  
Midland, Texas 79702-1152

OR2007-12889

Re: Request for copy of Incident Report #2005-01201135

Dear Mr. Ohnemiller:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 296282.

After reviewing your arguments and the submitted 2005 report, we have determined that your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim that the submitted information may be withheld from the requestor pursuant to section 552.108(a)(2) of the Government Code. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(2) you may withhold the submitted information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. To the extent the requested 2007 report exists, we assume you have released it. See Gov't Code §552.301, .302.

For more information on the cited exception, as well as information on the rights and obligations of governmental bodies and requestors, please refer to open government information contained on the Office of the Attorney General website at [www.oag.state.tx.us](http://www.oag.state.tx.us). You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

cc: Ms. Lisa Fellows  
2404 Terrace Avenue  
Midland, Texas 79705  
(w/o enclosures)