



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 9, 2008

Ms. Heather Stebbins
Assistant City Attorney
City of Kerrville
800 Junction Highway
Kerrville, Texas 78028

OR2008-00369

Re: Request for any and all information related to an incident that occurred on Sept. 30, 2007 at Whitten Inn and the subsequent arrest of Travis Lee Eells

Dear Ms. Stebbins:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 303672.

After reviewing your arguments and the submitted information, 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)(1) of the Government Code. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(1) you may withhold the submitted information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. We note that the submitted information includes court documents. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17); *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). Thus, if the information has been filed with a court, you must release the information.

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. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

cc: Ms. Marissa Yaremich
Inside Edition
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New York, New York 10019
(w/o enclosures)