



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

February 6, 2008

Mr. Russell Malm  
Midland County Attorney  
200 West Wall Street, Suite 104  
Midland, Texas 79701

OR2008-01751

Re: Request for all documents pertaining to the assault on or about February 1, 2005 on  
Jonaathan Paul Dahlem, State of Texas vs. Vicki Jeanice Ash

Dear Mr. Malm:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 306048.

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)(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. 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](http://www.oag.state.tx.us). You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

cc: James and Maria Dahlem  
94 Conestoga Place  
Franktown, Colorado 80116  
(w/o enclosures)