



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

February 15, 2008

Mr. Darrell G-M Noga
Fee Smith Sharp & Vitullo LLP
Three Galleria Tower
13155 Noel Road, Suite 1000
Dallas, Texas 75240

OR2008-02140

Re: Request for report related to incident that occurred on 01/27/08 involving Danny Payne

Dear Mr. Noga:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 307427.

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.

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. Rebecca Avery
301 South Coppell
Coppell, Texas 75019
(w/o enclosures)