



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 2, 2008

Mr. B. Chase Griffith
Brown & Hofmeister, L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081

OR2008-13528

Re: Request for a complete offense incident report and all subsequent supplemental reports regarding the arrest of John Scott Lindemann for violation of protective order, report number 08-004394

Dear Mr. Griffith:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 328722.

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. Stephanie Russell
335 West Main Street
Lewisville, Texas 75057
(w/o enclosures)