



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 20, 2008

Mr. Luz E Sandoval-Walker
Assistant City Attorney
City of El Paso
2 Civic Center Plaza 9th Floor
El Paso Texas 79901

OR2008-14271

Re: Request for copies of all 911 calls and responsive records and downloads, including audio tapes and transcripts related to and accident involving Federal Express Group on September 11, 2008 at approx. 12:41 pm at or near Transmountain Rd. And Gateway Blvd South in El Paso Tx

Dear Mr. Sandoval-Walker:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 330186.

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. Christine Lebensieg
1014 North Mesa, Suite 200
El Paso, Texas 79902
(w/o enclosures)

Ms. Janet Furtney
1014 North Mesa, Suite 200
El Paso, Texas 79902
(w/o enclosures)