



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 15, 2008

Mr. R. Kinley Hegglund, Jr.  
City of Wichita Falls  
P.O. Box 1431  
Wichita Falls, Texas 76307

OR2008-17056

Re: Request for document reafarding an assault/family violence case on September 30, 3008 at 8:11 p.m. involving Cheryl Schiewe, 5416 Castle Drive, Wichita Falls, Texas 76306, including list of witnesses, what they stated, copies of 911 calls, etc.

Dear Mr. Hegglund:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 334973.

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

Enc: Submitted documents

cc: Requestor  
(w/o enclosures)