



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 12, 2009

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

OR2009-00399

Re: Request for a copy of any and all reports or records regarding an offense on 8/9/08 at approximately 1315 in the 1400 block of Galveston and an offense on 8/9/08 at approximately 1902 at 1208 21st Street

Dear Mr. Hegglund:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 336051.

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, including detailed descriptions of the offenses, 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: Requestor
(w/o enclosures)