



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

February 25, 2009

Ms. Tammy Biggar  
Legal Assistant  
City of Sherman  
P.O. Box 1106  
Sherman, Texas 75091-1106

OR2009-02432

Re: Request for telephone call breath test from report # 0805667 regarding an incident on October 15, 2008 or October 16, 2008

Dear Ms. Biggar:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 340944.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim 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 CD of the phone call.

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)