



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 17, 2009

Mr. Sam Contreras  
Reeves County Judge  
Reeves County Courthouse  
100 East 4<sup>th</sup> Street, Suite 207  
Pecos, Texas 79772

Ms. Alva Alvarez  
Reeves County Attorney  
P.O. Box 825  
Pecos, Texas 79772

OR2009-16310

Dear Mr. Contreras and Ms. Alvarez:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 361772.

Reeves County (the "county") received a request for a specified death report. You claim that the submitted information is excepted from disclosure under sections 552.101 and 552.111 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You state that the submitted information was the subject of a previous request received by the county, in response to which this office issued Open Records Letter No. 2009-06815 (2009). In that ruling, we concluded that the county must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 161.032(a) of the Health & Safety Code. As we have no indication that there has been any change in the law, facts, or circumstances on which the previous ruling was based, the county must rely on our ruling in Open Records Letter No. 2009-06815 as a previous determination and withhold the submitted information that was previously ruled upon in that decision. See Open Records Decision No. 673 (2001) (so long as law, facts, and

circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As our ruling is dispositive, we need not address your claimed exceptions to disclosure.

You also ask this office to issue a previous determination permitting the county to withhold root cause analysis reports under section 552.101 of the Government Code in conjunction with section 161.032(a) of the Health & Safety Code without requesting a ruling from this office. We decline to issue such a previous determination at this time.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Sarah Casterline  
Assistant Attorney General  
Open Records Division

SEC/jb

Ref: ID# 361772

Enc. Submitted documents

c: Requestor  
(w/o enclosures)