



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

January 7, 2010

Mr. David K. Walker
County Attorney
Montgomery County
207 West Phillips, 1st Floor
Conroe, Texas 77301

OR2010-00269

Re: Request for all of named individual's criminal records who was arrested several times from about Jan. 2005 to Jan. 2008

Dear Mr. Walker:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 372177.

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 requested information may be withheld from the requestor. A request to compile an individual's criminal history implicates this person's privacy. We have concluded such a compilation is highly embarrassing information and is generally not of legitimate concern to the public. Therefore, to the extent you maintain law enforcement records depicting the named individual as a suspect, arrestee, or criminal defendant, you must withhold the requested information under section 552.101 of the Government Code in conjunction with common-law privacy. However, to the extent the specified report number 5383509 exists, we assume you have released it. *See Gov't Code §§ 552.301, .302.*

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)