



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

January 20, 2010

Mr. Jason Day  
City Attorney for Royse City  
P.O. Box 638  
Royse City, Texas 75189

OR2010-00899

Dear Mr. Day:

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# 367483 (RCCA 09-0138).

Royse City (the "city") received a request for incident report numbers 08-01-0067 and 09-04-0063. You claim that the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You state that the submitted information is subject to a previous ruling issued by this office on July 6, 2009. *See* Open Records Letter No. 2009-09238 (2009). In that ruling, this office concluded the city must withhold incident report numbers 08-01-0067 and 09-04-0063 in their entirety under section 552.101 of the Government Code in conjunction with section 261.201(a) of the Family Code. You do not inform us that the pertinent facts and circumstances have changed since the issuance of that prior ruling. Thus, we determine that the city must continue to rely on our ruling in Open Records Letter No. 2009-09238 as a previous determination and withhold the submitted information in its entirety in accordance with that decision. *See* Open Records Decision No. 673 (2001) (governmental body may rely on previous determination when the records or information at issue are precisely the same records or information that were previously submitted to this office pursuant to section 552.301(3)(1)(D); the governmental body which received the request for the records or information is the same governmental body that previously requested and received a ruling from the attorney general; the prior ruling concluded that the precise records or information

are or are not excepted from disclosure under the Act; and the law, facts and circumstances on which the prior ruling was based have not changed since the issuance of the ruling).

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,



James McGuire  
Assistant Attorney General  
Open Records Division

JM/rl

Ref: ID# 367483

Enc. Submitted documents

c: Requestor  
(w/o enclosures)