



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 6, 2010

Ms. Jessica Sangsvang
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street, 3rd Floor
Fort Worth, Texas 76102

OR2010- 09868

Dear Ms. Sangsvang:

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# 390672 (City of Fort Worth Public Information Request No. W001334).

The City of Fort Worth (the "city") received a request for a specified toxicology report. You state the requested toxicology report will be released to the requestor. You claim that the submitted incident report is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note that the instant request for information was only for the specified toxicology report, which you state will be released. Accordingly, the submitted incident report is not responsive to the instant request for information because it does not consist of the toxicology report. This ruling does not address the public availability of any information that is not responsive to the request, and the city is not required to release the submitted incident report in response to the request. As we are able to make this determination, we need not address your argument against the disclosure of the submitted incident report.

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, 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,



Laura Ream Lemus
Assistant Attorney General
Open Records Division

LRL/jb

Ref: ID# 390672

Enc. Submitted documents

c: Requestor
(w/o enclosures)