



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 19, 2010

Ms. Yvette Aguilar
Assistant City Attorney
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR2010-12608

Dear Ms. Aguilar:

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# 390943.

The Corpus Christi Police Department (the "department") received a request for police report number 1005160151. You state the department has made a portion of the responsive report available to the requestor. You claim the marked portions of the submitted information are subject to a previous determination by this office, and, in the alternative, are excepted from disclosure under section 552.108 of the Government Code. We have considered your arguments and reviewed the submitted information.

You represent the marked portions of the submitted information were the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2010-09082 (2010). In that decision, we ruled the department may withhold the marked information under section 552.108(a)(1) of the Government Code because release of the marked information would interfere with an ongoing criminal investigation. As we have no indication that there has been any change in the law, facts, or circumstances on which the previous ruling was based, we conclude the department may continue to rely on Open Records Letter No. 2010-09082 as a previous determination and withhold the marked information in accordance with that ruling. *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 raised exception to disclosure.

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,



Bob Davis
Assistant Attorney General
Open Records Division

RSD/tp

Ref: ID# 390943

Enc. Submitted documents

c: Requestor
(w/o enclosures)