



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 2, 2010

Mr. Martin L. Peterson
Assistant District Attorney
Dallas County District Attorney's Office
133 North Industrial Boulevard LB-19
Dallas, Texas 75207-4399

OR2010-13394

Dear Mr. Peterson:

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# 397564.

The Dallas County District Attorney's Office (the "district attorney") received a request for information relating to a named individual. You state that the requested information is the subject of a previous open records letter ruling. You also claim that the requested information is excepted from disclosure under sections 552.101, 552.103, 552.108, and 552.1325 of the Government Code. We have considered your arguments and reviewed the information you submitted.¹

You inform us that the requested information was the subject of a previous request, as a result of which this office issued Open Records Letter No. 2010-07303 (2010). In that ruling, we concluded that any law enforcement records maintained by the district attorney that depict the named individual as a suspect, arrestee, or criminal defendant must be withheld under section 552.101 of the Government Code in conjunction with common-law privacy. You do not indicate that there has been any change in the law, facts, and circumstances on which the previous ruling is based. We therefore conclude that the district

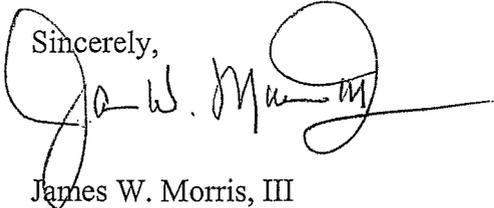
¹This letter ruling assumes that the submitted representative samples of information are truly representative of the requested information as a whole. This ruling neither reaches nor authorizes the district attorney to withhold any information that is substantially different from the submitted information. See Gov't Code §§ 552.301(e)(1)(D), .302; Open Records Decision Nos. 499 at 6 (1988), 497 at 4 (1988).

attorney may continue to rely on Open Records Letter No. 2010-07303.² See Gov't Code § 552.301(a); Open Records Decision No. 673 at 6-7 (2001) (listing elements of first type of previous determination under Gov't Code § 552.301(a)).

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,

A handwritten signature in black ink, appearing to read "James W. Morris, III". The signature is fluid and cursive, with a long horizontal line extending to the right.

James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/eb

Ref: ID# 397564

Enc: Submitted information

c: Requestor
(w/o enclosures)

²As we are able to make this determination, we need not address your other arguments against disclosure.