



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 18, 2011

Mr. Peter G. Smith
City Attorney
City of Richardson
P.O. Box 831078
Richardson, Texas 75083-1078

OR2011-00815

Dear Mr. Smith:

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# 406286 (File No. 10-725).

The Richardson Police Department (the "department") received a "Notice for Production or Inspection of Documents and Other Tangible Things" seeking 9-1-1 call information pertaining to a specified case number. You claim the requested information is excepted from disclosure under sections 552.103 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

We note section 552.0055 of the Government Code provides that "[a] subpoena duces tecum or a request for discovery that is issued in compliance with a statute or a rule of civil or criminal procedure is not considered to be a request for information under this chapter." Gov't Code § 552.0055. The submitted notice reflects it was issued under the authority of rule 205.3 of the Texas Rules of Civil Procedure as part of a request for discovery. Based on our review of the request, we conclude that the department did not receive a written request for public information that triggered the Act. Because the Act is not implicated, we will not address your claimed exceptions to disclosure for the requested information.

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,



Paige Lay
Assistant Attorney General
Open Records Division

PL/vb

Ref: ID# 406286

Enc. Submitted documents

c: Requestor
(w/o enclosures)