



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 19, 2011

Mr. Peter Scott  
Assistant City Attorney  
City of Wichita Falls  
P. O. Box 1431  
Wichita Falls, Texas 76307

OR2011-05393

Re: Request for a copy of Case #10-111688, 10-120316 and 11-011874; City ID #136

Dear Mr. Scott:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 421180.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim submitted report number 10-11688 may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(1) you may withhold the submitted information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. Also, we note the submitted information includes documents that may have been filed with a court. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17); *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). Thus, if the information has been filed with a court, you must release the information. To the extent the other two requested reports exist, we assume you have released them as you have not submitted them. See Gov't Code §§ 552.301, .302.

For more information on the cited exception, as well as information on the rights and obligations of governmental bodies and requestors, please refer to open government information contained on the Office of the Attorney General website at [www.oag.state.tx.us](http://www.oag.state.tx.us). You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor  
(w/o enclosures)