



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 19, 2011

Mr. Jose Hernandez
Records Department
Edinburg Police Department
1702 South Closner Boulevard
Edinburg, Texas 78539

OR2011-07106

Dear Mr. Hernandez:

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# 418119 (Edinburg Reference ID# 19548).

The Edinburg Police Department (the "department") received a request for reports at a specified address, specifically involving two named individuals during the year 2008. You claim that the submitted information is excepted from disclosure under sections 552.108 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, we note the submitted reports pertain to incidents that do not involve the specified address and that occurred in years other than 2008. This information is not responsive to the request for information. This ruling does not address the public availability of any information that is not responsive to the request, and the department need not release such information. Accordingly, we need not address your arguments against disclosure under sections 552.108 and 552.130 for this information.

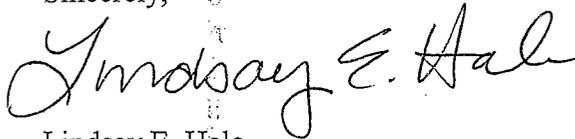
We also note that you have not submitted any information responsive to the request. You provide no indication that information responsive to the request exists or that the department seeks to withhold responsive information. To the extent information responsive to the request exists, we presume the department has released it. If not, the department must do so at this time. *See Gov't Code §§ 552.301, .302; see also Open Records Decision No. 664*

(2000) (if governmental body concludes that no exceptions apply to the requested information, it must release the information as soon as possible).

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,



Lindsay E. Hale
Assistant Attorney General
Open Records Division

LEH/em

Ref: ID# 418119

Enc. Submitted documents

c: Requestor
(w/o enclosures)