



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 26, 2011

Ms. T. Trisha Dang  
Assistant City Attorney  
City of Corpus Christi  
P. O. Box 9277  
Corpus Christi, Texas 78469-9277

OR2011-07483

Dear Ms. Dang:

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# 418870.

The City of Corpus Christi (the "city") received a request for information pertaining to criminal activity involving a named business at a specified address during the past five years. You state the city has released some responsive information. You claim the submitted information is excepted from disclosure under sections 552.101, 552.108, and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, we note submitted report number 0904210035 was the subject of a prior request for information, as a result of which this office issued Open Records Letter No. 2010-10802 (2010). In that ruling, we held the city must withhold report number 0904210035 under section 552.101 of the Government Code in conjunction with section 261.201(a) of the Family Code. 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 city must rely on Open Records Letter No. 2010-10802 as a previous determination and continue to withhold report number 0904210035 in accordance with that ruling.<sup>1</sup> *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

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<sup>1</sup>As our ruling is dispositive for this information, we need not address your arguments against its disclosure.

addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

The remaining information consists of crime scene photographs for cases unrelated to report number 0904210035 which you claim are excepted under section 552.130 of the Government Code. Section 552.130 provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by a Texas agency is excepted from public release. Gov't Code § 552.130(a)(1), (2). Upon review, we have marked the photographs that contain Texas license plate numbers and registration information that is subject to section 552.130. You state the city does not have the technical capability to redact the Texas motor vehicle record information from the photographs. We note, however, the photographs may be printed out, which would make it possible for the city to redact the information at issue by marking out the information on the printed photographs. Accordingly, the city must redact the Texas license plate numbers and registration information from the photographs we marked under section 552.130 of the Government Code. However, the remaining portions of the marked photographs, as well as the unmarked photographs in their entirety, do not contain Texas motor vehicle record information. Thus, no remaining information may be withheld under section 552.130.

In summary, the city must withhold report number 0904210035 in accordance with Open Records Letter No. 2010-10802. The city must withhold the Texas license plate numbers and registration information from the photographs we marked under section 552.130 of the Government Code. The remaining portions of the submitted photographs must be released.

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](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/eb

Ref: ID# 418870

Enc. Submitted documents

c: Requestor  
(w/o enclosures)