



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 22, 2011

Mr. Robert Almonte
Assistant City Attorney
El Paso City Prosecutor's Office
2 Civic Center Plaza, 9th Floor
El Paso, Texas 79901-2516

OR2011-08898

Re: Request for all information including 911 transcripts, pictures, video, supplements, 911 recording, 911 reports and dispatch reports regarding an aggravated assault causing death incident on 10/13/10 involving a named individual, Case #10-286012

Dear Mr. Almonte:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 426953.

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 the submitted information 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.

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. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor
(w/o enclosures)