



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 22, 2011

Ms. Susan Fillion
Assistant County Attorney
Harris County
1019 Congress, 15th Floor
Houston, Texas 77002

OR2011-13701

Re: Request for copy of blood warrant and affidavit for the blood warrant in connection with Harris County cause #1766589 (HC incident report #11086693), CA File #11PIA0347

Dear Ms. Fillion:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 436367.

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 search warrant affidavit. However, we note the search warrant 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 search warrant 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

cc: Requestor
(w/o enclosures)