



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 4, 2011

Mr. B. Chase Griffith
For the City of Flower Mound
Brown & Hofmeister L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081

OR2011-14322

Re: Request for police critique # 122.2 log book and/or any audio recordings for the time period that corresponds to a warrant being served at a named address, and all reports or investigations in regards to the complaint filed by a named individual, etc.

Dear Mr. Griffith:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 437622 (PIR NO. # 1466).

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 report and video 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. We also 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. Lastly, to the extent the rest of the requested information exists, we assume you have released it. 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. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor
(w/o enclosures)