



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 7, 2011

Mr. R. Brooks Moore
Assistant General Counsel
The Texas A&M University System
200 Technology Way, Suite 2079
College Station, Texas 77845-3424

OR2011-17992

Re: Request for all documents related to a DWI arrest on 9/4/11

Dear Mr. Moore:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 444773 (TAMU Request# 11-667).

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 information marked in red 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 some of the information marked in red. However, we note the submitted information includes a search warrant and court order 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

cc: Requestor
(w/o enclosures)