



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 21, 2012

Ms. Donna Clarke
Assistant District Attorney
Lubbock County Office of the Criminal District Attorney
916 Main Street, Suite 1101
Lubbock, Texas 79401

OR2012-07646

Dear Ms. Clarke:

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# 454227.

The Lubbock County Medical Examiner (the "medical examiner"), which you represent, received a request for the "blood card" for a named individual. You claim the request is for a tangible item that falls outside the scope of the Act. We have considered your argument and reviewed the request for information.

The Act is applicable to "public information," which is defined as information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body, and the governmental body owns the information or has a right of access to it. *See* Gov't Code § 552.002. This office has ruled, however, that tangible physical items are not "information," as that term is contemplated under the Act. *See* Open Records Decision No. 581 (1990). We agree the requested blood card is a tangible item and not public information for purposes of section 552.002 of the Government Code. Thus, the Act does not require the medical examiner to make the blood card available to the requestor. *See* Gov't Code §§ 552.002, .021.

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, 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,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/akg

Ref: ID #454227

Enc. Submitted documents

c: Requestor
(w/o enclosures)