



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 12, 2012

Mr. David C. Schulze
Interim General Counsel
Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-0163

OR2012-10822

Dear Mr. Schulze:

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# 458754 (DART ORR# 8980).

Dallas Area Rapid Transit ("DART") received a request for information pertaining to a specified incident involving a named deceased individual. You claim the requested information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2012-09655 (2012). In that ruling, we concluded DART must release the completed report pursuant to section 552.022(a)(1) of the Government Code and may withhold the remaining information at issue under section 552.103 of the Government Code. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, DART may continue to rely on Open Records Letter No. 2012-09655 as a previous determination and withhold or release the submitted information in accordance with that ruling.¹ See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney

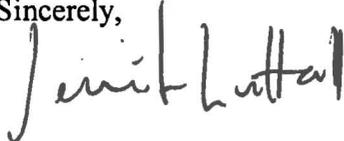
¹As we are able to make this determination, we need not address your argument against disclosure.

general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,



Jennifer Luttrall
Assistant Attorney General
Open Records Division

JL/som

Ref: ID#458754

Enc. Submitted documents

c: Requestor
(w/o enclosures)