



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 15, 2012

Mr. Peter K. Rusek  
Counsel for the McLennan County Appraisal District  
Sheehy, Lovelace & Mayfield, P.C.  
510 North Valley Mills Drive, Suite 500  
Waco, Texas 76710

OR2012-12875

Dear Mr. Rusek:

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# 462125.

The McLennan County Appraisal District (the "district"), which you represent, received a request for the affidavits of three district employees mentioned in a specified letter. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information. We have also received and considered comments submitted by the requestor. *See Gov't Code* § 552.304 (providing that interested party may submit comments stating why information should or should not be released).

Initially, we note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2012-11925 (2012). In that ruling, we determined the district may not withhold the information at issue under section 552.103 of the Government Code and must release the information. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we conclude the

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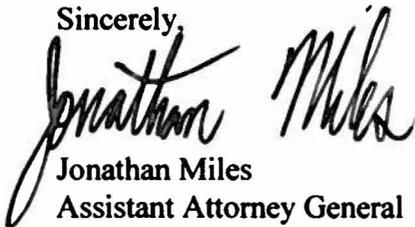
<sup>1</sup>Although you raise section 552.111 of the Government Code, you make no arguments to support this exception. Therefore, we assume you have withdrawn your claim that this section applies to the submitted information. *See Gov't Code* §§ 552.301(b), (e), .302.

district must rely on Open Records Letter No. 2012-11925 as a previous determination and release the submitted information in accordance with that ruling. *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 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](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,

A handwritten signature in cursive script that reads "Jonathan Miles". The signature is written in black ink and is positioned to the left of the typed name.

Jonathan Miles  
Assistant Attorney General  
Open Records Division

JM/bhf

Ref: ID# 462125

Enc. Submitted documents

c: Requestor  
(w/o enclosures)