



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 3, 2012

Mr. John Ohnemiller
First Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79701

OR2012-15711

Re: Request for the full report including the DWI for a named individual for an incident which occurred on 09/20/12; Report Number 120909016

Dear Mr. Ohnemiller:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 472536.

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 have released some information, including the CR-3, DIC-24, and DIC-25 forms and claim the submitted information 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. Also, we 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.

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)