



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 15, 2012

Ms. Rachel L. Lindsay  
Brown & Hofmeister, L.L.P.  
740 East Campbell Road, Suite 800  
Richardson, Texas 75081

OR2012-18466

Dear Ms. Lindsay:

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# 471016 (City ORR No. 10-6010).

The City of McKinney (the "city"), which you represent, received a request for the report pertaining to a specified incident. You claim that the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note that the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2012-15353 (2012). In the prior ruling, we ruled that, with the exception of basic information that must be released pursuant to section 552.108(c) of the Government Code, the city may withhold the submitted information under section 552.108(a)(2) of the Government Code. As we have no indication that there has been any change in the law, facts, or circumstances on which the previous ruling was based, we conclude the city may rely on Open Records Letter No. 2012-15353 as a previous determination and release or withhold the submitted information in accordance with it.<sup>1</sup> 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

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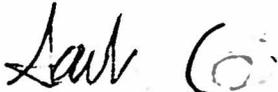
<sup>1</sup>As our ruling is dispositive, we need not address your argument against disclosure.

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,



Sarah Casterline  
Assistant Attorney General  
Open Records Division

SEC/tch

Ref: ID# 471016

Enc. Submitted documents

c: Requestor  
(w/o enclosures)