



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 19, 2012

Mr. Stephen Cumbie
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street, 3rd Floor
Fort Worth, Texas 76102

OR2012-18568

Re: Request for the city's file, tapes, video r any written documentation report on a DUI that occurred on October 7th involving named individual, to include the police report and call sheet; W021201

Dear Mr. Cumbie:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 476800.

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 the DIC-24, DIC-25, and CR-3 forms and claim the remaining 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 remaining information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. We also note the submitted information includes a Magistrate's Warning 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)