



**ATTORNEY GENERAL OF TEXAS**  
**GREG ABBOTT**

January 17, 2013

Ms. Natasha Brooks  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79702-1152

OR2013-01039

Dear Ms. Brooks:

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# 476478 (Midland reference 10-117).

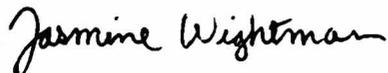
The City of Midland (the "city") received a request for a specified accident report involving two named individuals, and "the criminal reports on both gentlemen." You claim that the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note the submitted information is not responsive to the instant request, which seeks a specified accident report and "the criminal reports" of two named individuals. You have submitted a police report with a different report number involving suspects not named in the request. The city is not required to release non-responsive information in response to this request under the Act, and this ruling will not address that information. Accordingly, we do not address your submitted argument under the Act. As you have not submitted the requested information for our review, we assume the city has released it to the requestor, to the extent it existed when the city received the request. If the city has not released any such information, it must do so at this time. See Gov't Code §§ 552.006, .301, .302; Open Records Decision No. 664 (2000).

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,



Jasmine D. Wightman  
Assistant Attorney General  
Open Records Division

JDW/dls

Ref: ID# 476478

Enc. Submitted documents

c: Requestor  
(w/o enclosures)