



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 30, 2013

Ms. Claire Yancey
Assistant District Attorney
Civil Division
County of Denton
P.O. Box 2850
Denton, Texas 76202

OR2013-07116

Dear Ms. Yancey:

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# 485969.

The Denton County Criminal District Attorney's Office (the "district attorney's office") received a request for the investigative notes from the interviews with three named individuals. You claim 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.

You state the submitted information was the subject of a previous request for a ruling, in response to which this office issued Open Records Letter No. 2012-00351 (2012). In this prior ruling, we determined, with the exception of the basic information, the district attorney's office may withhold the submitted information under section 552.108(a)(1) of the Government Code. You state there has not been any change in the law, facts, or circumstances on which the previous ruling was based. Therefore, we conclude the district attorney's office may rely on Open Records Letter No. 2012-00351 as a previous determination and withhold or release the submitted information in accordance with it.¹ See

¹Because our ruling is dispositive, we do not address your arguments against disclosure under section 552.108 of the Government Code.

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, 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 black ink, appearing to read "Michelle R. Garza", with a long horizontal flourish extending to the right.

Michelle R. Garza
Assistant Attorney General
Open Records Division

MRG/som

Ref: ID# 485969

Enc. Submitted documents

c: Requestor
(w/o enclosures)