



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

June 13, 2013

Mr. Daniel Plake  
Assistant County Attorney  
Open Records Division  
Montgomery County  
207 West Phillips Street, Suite 100  
Conroe, Texas 77301

OR2013-09939

Dear Mr. Plake:

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# 494809 (ORR# 2013-2664).

The Montgomery County Sheriff's Department (the "sheriff's department") received a request for offense report number 12A001876. You claim the requested information is excepted from disclosure under section 552.108 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.

We note the requested information was the subject of a previous request for a ruling, in response to which this office issued Open Records Letter No. 2012-04441 (2012). In that ruling, we determined that, except for basic information which must be released, the department may withhold the information at issue under section 552.108(a)(1) of the Government Code. As we have no indication the law, facts, and circumstances on which Open Records Letter No. 2012-04441 was based have changed, we conclude the department may continue to rely on Open Records Letter No. 2012-04441 as a previous determination

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<sup>1</sup>Although you also raise section 552.101 of the Government Code, you have not provided any argument to support this exception. Therefore, we do not address section 552.101. See Gov't Code §§ 552.301(e)(1)(A), .302.

and withhold or release the requested information in accordance with that ruling. *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 addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes 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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Cindy Nettles  
Assistant Attorney General  
Open Records Division

CN/dls

Ref: ID# 494809

Enc. Submitted documents

c: Requestor  
(w/o enclosures)