



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

March 25, 2014

Ms. Molly Cost
Assistant General Counsel
Texas Department of Public Safety
Box 4087
Austin, Texas 78773-0001

OR2014-04907

Re: Request for any and all records regarding the 02/24/14 fatal accident involving named individual and named individual who was struck as she was exiting the school bus around 7:30 p.m. on La Homa Rd. in LaJoya located Hidalgo County; PIR No. 14-0893 and 14-1102

Dear Ms. Cost:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 523568.

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 claim the information marked as "552.108" may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the information and have determined that in accordance with section 552.108(a)(1) you may withhold most of the information marked as "552.108." However, we note the submitted information includes search warrants and 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. Lastly, we agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code.

For more information on the cited exception, please refer to the open government information on our website at <https://www.oag.state.tx.us/open/memorulings.shtml>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: 2 Requestors
(w/o enclosures)