



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 21, 2014

Mr. John Ohnemiller
First Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702

OR2014-12553

Re: Request for records pertaining to an incident involving a named individual in or near the 3100 block of Kessler Avenue on May 25, 2014

Dear Mr. Ohnemiller:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 536385 (City ID# 14567).

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 search warrant, CR-3 form, and DIC-24 and DIC-25 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 document 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, 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: Requestor
(w/o enclosures)