



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 2, 2014

Mr. Stephen D. Gates  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79701

OR2014-17625

Re: Request for the complete police report and BAC regarding named individual on 09/13/14; Police report #140913042; ORR: 15124

Dear Mr. Gates:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 545381.

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 some information, including the 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 documents 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)