



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 5, 2014

Ms. LeAnn M. Quinn
City Secretary
City of Cedar Park
450 Cypress Creek Road
Cedar Park, Texas 78613

OR2014-22038

Dear Ms. Quinn:

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# 547878 (City Ref. No. 15-006).

The City of Cedar Park (the "city") received a request for all records involving a named individual. You state you will redact information under section 552.147 of the Government Code.¹ You state you will release some of the information submitted as Exhibit B, including the basic information. You claim some of the submitted information is excepted from disclosure under sections 552.108 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.108(a)(2) excepts from disclosure information concerning an investigation that concluded in a result other than conviction or deferred adjudication. *See* Gov't Code § 552.108(a)(2). A governmental body claiming section 552.108(a)(2) must demonstrate that the information at issue relates to a criminal investigation that has concluded in a final result other than conviction or deferred adjudication. You state that the information submitted as Exhibit C relates to a closed criminal investigation that ended in a result other than conviction or deferred adjudication. Based on your representations and our review, we agree

¹Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office. *See* Gov't Code § 552.147(b).

that section 552.108(a)(2) is applicable to Exhibit C and the city may withhold Exhibit C under section 552.108(a)(2) of the Government Code.²

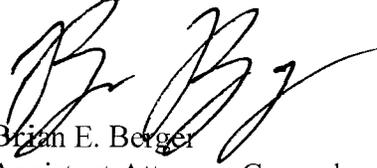
You state you will withhold the information you have marked under section 552.130 of the Government Code.³ We note the information submitted as Exhibit B contains additional motor vehicle record information subject to section 552.130. Section 552.130 provides information relating to a motor vehicle operator's or driver's license, title, or registration issued by a Texas agency, or an agency of another state or country, is excepted from public release. *See id.* § 552.130(a)(1)-(2). The city must withhold the motor vehicle record information you have marked, as well as the additional information we have marked, under section 552.130 of the Government Code.

In summary, the city may withhold Exhibit C under section 552.108(a)(2) of the Government Code. The city must withhold the motor vehicle record information you have marked in Exhibit B, as well as the additional information we have marked, under section 552.130 of the Government Code. The remaining information must be released.

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, 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,



Brian E. Berger
Assistant Attorney General
Open Records Division

BB/ac

²As our ruling is dispositive, we do not address your other argument to withhold this information.

³Section 552.130(c) of the Government Code allows a governmental body to redact the information described in subsection 552.130(a) without the necessity of seeking a decision from the attorney general. *See Gov't Code* § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e).

Ref: ID# 547878

Enc. Submitted documents

c: Requestor
(w/o enclosures)