

52nd JUDICIAL DISTRICT ATTORNEY

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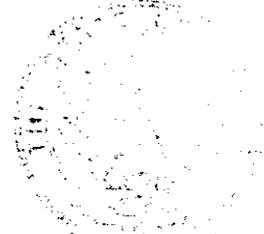
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Admission Committee

RQ-564

Re: 19490



Attorney General  
State of Texas  
Supreme Court Building  
P.O. 12548  
Austin, Texas 78711-2548

Re: Game Checks at set roadblocks

Dear Sir/Madam:

I am writing to request an Attorney General's opinion concerning the possible use of roadblocks/checkpoints to allow the Game Wardens to conduct game checks.

Please inform me as to the legality of the following questions:

1. Is it constitutionally permissible for game wardens to conduct game checks/searches at set roadblocks
2. Does this violate the 4th and 14th amendment of the United States Constitution and Article I section 9 of the Texas Constitution.
3. Does this violate any other State or Federal Constitutional guarantee against unlawfull search and seizure.
4. Is it necessary that The Texas Parks and Wildlife Department have a State Wide plan in place to implement these roadblocks.

Please note that there is currently legislation pending concerning this issue. Your immediate attention in this matter would be greatly appreciated.

Thank you in advance for your effort and help concerning these questions.

Sincerely,

Sandy S. Gately