



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

August 24, 2015

Mr. Daniel Ortiz  
Assistant City Attorney  
Office of the City Attorney  
City of El Paso  
P.O. Box 1890  
El Paso, Texas 79950-1890

OR2015-17619

Dear Mr. Ortiz:

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# 576543 (Ref. No. 15-1026-6248).

The City of El Paso (the "city") received a request for information pertaining to a specified incident. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.

We note the submitted information was the subject of previous requests for information, in response to which this office issued Open Records Letter Nos. 2014-02581 (2014) and 2014-03820 (2014). In those rulings, we determined the city must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 58.007 of the Family Code. We have no indication the law, facts, or circumstances on which the prior rulings were based have changed. Accordingly, the city must continue to rely on Open Records Letter Nos. 2014-02581 and 2014-03820 as previous determinations

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<sup>1</sup>Although you also raise section 552.101 in conjunction with common-law privacy and constitutional privacy for the submitted information, you provide no arguments explaining how these doctrines are applicable to the information at issue. Therefore, we assume you no longer assert these doctrines. See Gov't Code §§ 552.301, .302.

and withhold the submitted information in accordance with those rulings. *See* Open Records Decision No. 673 at 6-7 (2001) (discussing criteria for first type of previous determination).

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](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,

A handwritten signature in black ink, appearing to read "Lee Seidlits", written in a cursive style.

Lee Seidlits  
Assistant Attorney General  
Open Records Division

CLS/som

Ref: ID# 576543

Enc. Submitted documents

c: Requestor  
(w/o enclosures)