



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 12, 2016

Mr. Ron G. MacFarlane, Jr.
Counsel for Cedar Hill
The MacFarlane Firm
400 East Royal Lane, Suite 290
Irving, Texas 75039

OR2016-03570

Re: Request for records related to seizure of property owned by named individual on 08/22/15; 2003 Hummer H2, VIN no. 5GRGN23U43H110550, case no. 15-3928; request includes: offense report, patrol car video that recorded the seizure of vehicle, search warrant, recorded statements, etc.

Dear Mr. MacFarlane:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 606012.

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 claim the submitted 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 submitted information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. We 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)