



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 30, 2016

Ms. Theresa Pham
Assistant City Attorney for the City of Valley Mills
Bojorquez Law Firm, P.C.
12325 Hymeadow Drive, Suite 2-100
Austin, Texas 78750

OR2016-07110

Dear Ms. Pham:

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# 603426.

The City of Valley Mills (the "city"), which you represent, received a request for a specified incident report. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

You state the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2015-09225 (2015). In Open Records Letter No. 2015-09225, we determined, in relevant part, with the exception of basic information, the city may withhold the requested report under section 552.108(a)(1) of the Government Code. You state there has been no change in the law, facts, or circumstances on which the prior ruling was based. Thus, the city may continue to rely on Open Records Letter No. 2015-09225 as a previous determination and withhold or release the submitted

¹Although you raise section 552.101 of the Government Code, you make no argument to support this exception. Therefore, we assume you have withdrawn your claim this section applies to the submitted information. See Gov't Code §§ 552.301, .302. Further, we note this office has concluded section 552.101 does not encompass other exceptions found in the Act. See Open Records Decision Nos. 676 at 1-2 (2002), 575 at 2 (1990).

information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we need not address your submitted arguments.

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,

A handwritten signature in black ink that reads "Abigail T. Adams". The signature is written in a cursive, flowing style.

Abigail T. Adams
Assistant Attorney General
Open Records Division

ATA/akg

Ref: ID# 603426

Enc. Submitted documents

c: Requestor
(w/o enclosures)