



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 7, 2016

Ms. Marium Uddin
Assistant District Attorney
Civil Division
Dallas County
411 Elm Street, Fifth Floor
Dallas, Texas 75202

OR2016-22565

Dear Ms. Uddin:

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# 635243.

The Dallas County Medical Examiner's Office (the "medical examiner's office") received a request for a specified autopsy report. The medical examiner's office claims the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code.¹ We have considered the exceptions you claim and reviewed the submitted information.

We note the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2016-10921 (2016). In that ruling, the medical examiner's office was represented by the Dallas County Criminal District Attorney's Office (the "district attorney's office"), which provided briefing on behalf of the medical examiner's office and asserted its own law enforcement interest under section 552.108 of the Government Code. This office determined the medical examiner's office may withhold the information at issue under section 552.108 on behalf of the district

¹Although you raise section 552.101 of the Government Code in conjunction with section 552.108 of the Government Code, we note section 552.101 does not encompass other exceptions in the Act. *See* Open Records Decision Nos. 676 at 1-2 (2002), 575 at 2 (1990).

attorney's office. As we have no indication the law, facts, and circumstances on which the previous ruling is based have changed, the medical examiner's office must continue to rely on Open Records Letter No. 2016-10921 as a previous determination and withhold or release the submitted information in accordance with that ruling.² 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 prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,



Jesse Harvey
Assistant Attorney General
Open Records Division

JH/bw

Ref: ID# 635243

Enc. Submitted documents

c: Requestor
(w/o enclosures)

²As we are able to make this determination, we need not address your argument against disclosure of the submitted information.