



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 30, 2016

Mr. Carlos G. Madrid
Assistant County Attorney
El Paso County
500 East San Antonio, Room 503
El Paso, Texas 79901

OR2016-28715

Dear Mr. Madrid:

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# 640523 (File No. 0004-17-PI).

The El Paso County Sheriff's Office (the "sheriff's office") received a request for thirteen categories of information pertaining to a specified motor vehicle accident. You state you have released some information to the requestor. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.1085 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, you state the requested information was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2016-23666 (2016). In that ruling, we determined the sheriff's office must withhold the information you indicated under section 552.101 of the Government Code in conjunction with section 11 of article 49.25 of the Code of Criminal Procedure and must withhold the remaining information under section 552.1085 of the Government Code. You state the law, facts, or circumstances on which the prior ruling was based have not changed. Thus, the sheriff's office must continue to rely on Open Records Letter No. 2016-23666 as a previous determination and withhold the information at issue in accordance with that ruling.¹ See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which

¹As our ruling is dispositive, we need not address your remaining arguments against disclosure.

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).

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,



Ashley Crutchfield
Assistant Attorney General
Open Records Division

AC/bw

Ref: ID# 640523

Enc. Submitted documents

c: Requestor
(w/o enclosures)