



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 10, 2017

Mr. Jaime Tijerina
Deputy City Attorney
City of Mission
1201 East 8th Street
Mission, Texas 78572

OR2017-05045

Re: Request for information regarding the vehicle fatalities on 01/20/17 and 12/22/16 (File 17-0108)

Dear Ms. Tijerina:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 656568.

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 information marked as "552.108" in report number 2016-00036994 may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the information and have determined that pursuant to section 552.108(a)(1) you may withhold the information marked as "552.108." We agree you must withhold the marked motor vehicle record information report number 2017-00002057 pursuant to section 552.130 of the Government Code. Lastly, except for the date of birth of the deceased person,¹ you must withhold the rest of the marked dates of birth in report number 2017-00002057 pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/og/memorulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor
(w/o enclosures)

¹ *Moore v. Charles B. Pierce Film Enters., Inc.*, 589 S.W.2d 489, 491 (Tex. Civ. App.—Texarkana 1979, writ ref'd n.r.e.) (right of privacy "terminates upon the death of the person whose privacy is invaded"); *see also* Attorney General Opinion JM-229 (1984) ("right of privacy lapses upon death").
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