



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 15, 2017

Mr. Andrew Heston  
Assistant District Attorney  
Brazoria County  
111 East Locust, Suite 408a  
Angleton, Texas 77515

OR2017-13332

Re: Request for police/offense report for incident involving a named individual on 09/14/16 at a named location, case no. 224396

Dear Mr. Heston:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 670512.

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 dates of birth must be withheld from the requestor pursuant to section 552.101 of the Government Code. We have considered your arguments and the information and have determined that you must withhold the marked date of birth 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.). However, the requestor has a right to his date of birth. *See* Gov't Code § 552.023(b) (governmental body may not deny access to person to whom information relates solely on grounds that information is considered confidential by privacy principles).

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)