



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 27, 2017

Ms. Susan Estringel
Legal Assistant
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR2017-16903

Re: Request for all information regarding a fatal accident on 05/13/17 in Donley County involving two named individuals including: reports, Crash Data retrieval downloads, photos, video, 911 calls, etc., DPS #17-3815.

Dear Ms. Estringel:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 670232.

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 state you have released the crash report, which we understand you have done pursuant to section 550.065 of the Transportation Code. Further, you indicate you do not have information responsive to portions of the request.¹ You claim the submitted information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the submitted information, we conclude you may withhold the submitted information under section 552.108(a)(1).

¹The Act does not require a governmental body to release information that did not exist when it received a request, create responsive information, or obtain information that is not held by the governmental body or on its behalf. *See Economic Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 555 at 1 (1990), 452 at 3 (1986), 362 at 2 (1983).

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)