



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 2, 2017

Mr. Cary L. Bovey
Counsel for City of Brenham
Law Office of Cary L. Bovey, PLLC
2251 Double Creek Drive, Suite 204
Round Rock, Texas 78664

OR2017-17271

Re: Request for information regarding a death at the Brenham Supported Living Center
on 07/11/17

Dear Mr. Bovey:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 677582.

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 submitted information may be withheld from public disclosure pursuant to section 552.108(a)(1) of the Government Code on behalf of a law enforcement agency with a law enforcement interest. Further, you inform this office the law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Thus, we conclude you may withhold some of the information pursuant to section 552.108(a)(1). However, you must release a detailed description of the offense as basic information pursuant to section 552.108(c). Lastly, we note the submitted information includes information that may have been filed with a court. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17); *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). Thus, if the information has been filed with a court, you must release the information.

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: Requestors
(w/o enclosures)