



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

November 8, 2017

Mr. David V. Overcash  
Counsel for the City of Anna  
Wolfe, Tidwell & McCoy, L.L.P.  
2591 Dallas Parkway, Suite 300  
Frisco, Texas 75034

OR2017-25576

Re: Request for all documents pertaining to the 09/21/17 investigation of an accident case no. 17-000739 to include accident report, dash/body cam video, 911 calls, etc., City file no. W001102-101317.

Dear Mr. Overcash:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 690976.

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" may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the information, we conclude you may withhold the information marked as "552.108" under section 552.108(a)(1). We agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code. Lastly, you must withhold most of the marked dates 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, you must released the deceased's date of birth. *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.) (Because "the right of privacy is purely personal," that right "terminates upon the death of the person whose privacy is invaded."); Open Records Decision No. 272 (1981) ("the right of privacy is personal and lapses upon death").

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 Third Party  
(w/o enclosures)