



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 19, 2017

Ms. Elizabeth Reynolds  
Paralegal  
Office of the City Attorney  
City of Dallas  
1500 Marilla Street, Room 7DN  
Dallas, Texas 75201

OR2017-28800

Dear Ms. Reynolds:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 688175 (Reference No. C007541-100417).

The City of Dallas (the "city") received a request for information pertaining to a specified Dallas Fire-Rescue Captain's assessment. You state you have released some information. You claim the requested information is excepted from disclosure under section 552.122 of the Government Code. We have considered the exception you claim.

The city states the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2017-26749 (2017). In that ruling, we determined the city may withhold the information it marked under section 552.122(b) of the Government Code, and must release the remaining information in accordance with copyright law. There is no indication the law, facts, and circumstances on which the previous ruling was based have changed. Accordingly, the city may rely on Open Records Letter No. 2017-26749 as a previous determination and withhold or release the requested information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to

same governmental body, and ruling concludes that information is or is not excepted from disclosure).

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Michelle Case", with a long horizontal flourish extending to the right.

D. Michelle Case  
Assistant Attorney General  
Open Records Division

DMC/som

Ref: ID# 688175

c: Requestor