



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 10, 2018

Mr. James Kopp
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

OR2017-29273A

Dear Mr. Kopp:

The City of San Antonio (the “city”) received a request for information pertaining to two airplanes and any aerial surveillance conducted by the city’s police department.¹ Your request was assigned ID# 710699 (Ref. No. W183523). In response, this office issued Open Records Letter No. 2017-29273 (2017) on December 29, 2017. We have examined this ruling and determined that an error was made in its issuance. When this office determines that an error was made in the decision process under sections 552.301 and 552.306 of the Government Code, and that error resulted in an incorrect decision, we will correct the previously issued ruling. Consequently, this letter serves as a substitute for the decision issued on December 29, 2017. *See generally* Gov’t Code § 552.011 (providing that Office of Attorney General may issue decision to maintain uniformity in application, operation, and interpretation of the Act).

We note the request at issue was ruled on in Open Records Letter No. 2018-02643A (2018). Accordingly, the city must follow Open Records Letter No. 2018-02643A when determining

¹The city states it sought and received clarification of the information requested. *See* Gov’t Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); *see also* *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

the proper disposition for the requested information. This office will consider this matter closed. If you have any questions with regard to this letter, please refer to ID# 710699.

Sincerely,

A handwritten signature in black ink, appearing to read 'Meredith L. Coffman', with a long, sweeping flourish extending to the right.

Meredith L. Coffman
Assistant Attorney General
Open Records Division

MLC/mo

Ref: ID# 710699

c: Requestor