



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 15, 2018

Ms. LeAnn M. Quinn
City Secretary
City of Cedar Park
450 Cypress Creek Road
Cedar Park, Texas 78613

OR2018-03643

Re: Request for the Police Report pertaining to Case No. 1712-0413 involving a named individual; Reference Nos. 18-535 and 18-539

Dear Ms. Quinn:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 703911.

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 Exhibit C 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 Exhibit C under section 552.108(a)(1). Also, you must withhold the marked motor vehicle record information in Exhibit B from the first requestor under section 552.130 of the Government Code. Lastly, you must withhold the marked date(s) of birth in Exhibit B 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, because the second requestor has power of attorney over the victim, you must release the second requestor's and victim's dates of birth and motor vehicle record information to the second requestor pursuant to section 552.023 of the Government Code. *See* Gov't Code § 552.023(b) (governmental body may not deny access to person to whom information relates, or that person's representative, solely on grounds that information is considered confidential by privacy principles).

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: 2 Requestors
(w/o enclosures)