



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 4, 2019

Mr. Evan D. Reed
Assistant City Attorney
City of El Paso
P. O. Box 1890
El Paso, Texas 79950-1890

OR2019-03094

Re: Request for the incident report and other documents regarding the officer involved shooting on 10/10/18; [Ref. # 18-1026-9990]

Dear Mr. Reed:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 750489.

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 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 the submitted information under section 552.108(a)(1). However, you must release the basic information pursuant to section 552.108(c) of the Government Code. 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: Requestor
(w/o enclosures)