



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 7, 2019

Mr. Stephen D. Gates
First Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702-1152

OR2019-03694

Re: Request for theft report re case 181109024; named individual; named address;
ORR M025126-111518

Dear Mr. Gates:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 749424 (ID# M025126-111518).

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.¹ 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. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(1) you may withhold the submitted information. However, as you acknowledge, you must release the basic information pursuant to section 552.108(c) of the Government Code.

¹We note the city received a prior request for the same information from a different requestor. In response to this first request, the city informs us it responded to the first requestor within five business days and then withheld certain information under section 552.108(a)(1) of the Government Code, pursuant to the previous determination this office issued to the city Open Records Letter No. 2016-26326 (2016). Subsequently, a different requestor made the instant request for the same information on November 15, 2018. We note because the requests for information at issue were made by different individuals, the city had discretion to rely on Open Records Letter No. 2016-26326 in responding to the second request.

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)