



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 13, 2019

Ms. Nicole Dempsey
Assistant County & District Attorney
Ellis County
109 South Jackson
Waxahachie, Texas 75165

OR2019-04187

Dear Ms. Dempsey:

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# 755513.

The Ellis County Sheriff's Office (the "sheriff's office") received a request for a specified police report. The sheriff's office claims the submitted information is excepted from disclosure under sections 552.101, 552.108, and 552.130 of the Government Code. We have reviewed the exceptions the sheriff's office claims and reviews the submitted information.

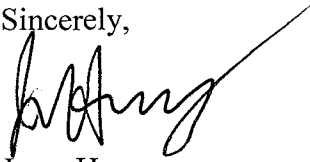
We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2019-00773 (2019). In that ruling, we determined the sheriff's office: 1) may withhold the information marked as "552.108" under section 552.108(a)(1); 2) must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code; and 3) must withhold the marked date(s) of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. We have no indication that the law, facts, or circumstances on which the prior ruling was based have not changed. Thus, the sheriff's office must continue to rely on Open Records Letter No. 2019-00773 as a previous determination and withhold or release the identical 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 a 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, 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,



Jesse Harvey
Assistant Attorney General
Open Records Division

JH/mo

Ref: ID# 755513

Enc. Submitted documents

c: Requestor
(w/o enclosures)