



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 9, 2019

Mr. Russell W. Malm
County Attorney
Midland County
500 North Loraine, Suite 1101
Midland, Texas 79701

OR2019-12459

Re: Request for information pertaining to a named individual and specified incident;
01/19, 01/01/19 to present

Dear Mr. Malm:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 765461.

After reviewing the submitted 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.¹ Upon review of the 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.

¹Although you cite to subsection 552.108(a)(2), rather than subsection 552.108(a)(1) of the Government Code in your brief, we understand you to raise subsection 552.108(a)(1) based on the substance of your arguments.

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Enc: Submitted documents

c: Requestor
(w/o enclosures)