



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 27, 2019

Mr. Joseph J. Gorfida Jr.
Counsel for the City of Sachse
Nichols Jackson Dillard Hager & Smith L.L.P.
1800 Ross Tower
500 North Akard Street
Dallas, Texas 75201

OR2019-17728

Re: Request for information; named individual, named address, 04/05/19; 04/06/19;
08/27/17 (108529)

Dear Mr. Gorfida:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 780238.

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 state you do not have information responsive to a portion of the request.¹ You claim the information marked as "552.108" may be withheld from the requestor pursuant to section 552.108(a)(2) of the Government Code. Upon review of your arguments and the information, we conclude you may withhold the information marked as "552.108" under section 552.108(a)(2). We agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code. Lastly, you must withhold the marked date(s) of birth 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.).

¹ The Act does not require a governmental body to release information that did not exist when a request for information was received or to prepare new information in response to a request. See *Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 452 at 3 (1986), 362 at 2 (1983).

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)