



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 16, 2019

Mr. Joseph J. Gorfida  
Counsel for the City of Allen  
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.  
500 North Akard, Suite 1800  
Dallas, Texas 75201

OR2019-28974

Re: Request for ORR 109992

Dear Mr. Gorfida:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 792203 (ORR# 109992).

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 information you have marked under 552.108(a)(2) of the Government Code 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 you have marked under section 552.108(a)(2). We agree you must withhold the motor vehicle record information you have marked, as well as the information we have marked, in accordance with section 552.130 of the Government Code. Lastly, you must withhold the marked dates 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.).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/open-records-memorandum-rulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor  
(w/o enclosures)