



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 15, 2019

Ms. Joseph Gorfida, Jr.
Counsel For City Of Desoto
Nichols Jackson Dillard Hager & Smith, L. L. P.
500 North Akard Street, Suite 1800
Dallas, Texas 75201

OR2019-32260

Re: Request for ORR 111730

Dear Mr. Gorfida:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 805280.

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. In this instance, the requestor does not give the requisite information under section 1701.661(a) of the Occupations Code. As the requestor did not properly request the body worn camera recording(s) at issue pursuant to chapter 1701, our ruling does not reach this information and it need not be released. You have released Exhibit C and claim Exhibit D may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the submitted information, we conclude you may withhold Exhibit D under section 552.108(a)(1). Lastly, you must withhold the marked date(s) of birth in Exhibit C 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)