



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 5, 2019

Ms. P. Armstrong  
Assistant City Attorney  
City Of Dallas  
1400 South Lamar, 6th Floor, 6W  
Dallas, Texas 75215

OR2019-34164

Re: Request for ORR# D029266-100219

Dear Ms. Armstrong:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 806643.

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.<sup>1</sup> You claim the information marked as "552.108" may be withheld from public disclosure pursuant to section 552.108(a)(1) of the Government Code on behalf of another law enforcement agency with a law enforcement interest. Further, you inform this office the other law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Thus, we conclude you may withhold the information marked as "552.108" pursuant to section 552.108(a)(1) on behalf of the other law enforcement agency. We also 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 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->

---

<sup>1</sup> You acknowledge, and we agree, you did not comply with section 552.301 of the Government Code in requesting this decision. See Gov't Code § 552.301(b), (e). Nonetheless, sections 552.101 and 552.130 of the Government Code and the need of a governmental body, other than the governmental body that failed to timely seek an open records decision, to withhold information under section 552.108 of the Government Code can provide compelling reasons sufficient to overcome the presumption of openness. See *id.* §§ 552.007, .302, .352; Open Records Decision No. 586 (1991).

[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)