



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 7, 2020

Ms. Ann York  
Records Coordinator  
Cherokee County  
272 Underwood Street  
Rusk, Texas 75785

OR2020-00589

Re: Public Information Request number 18SO1702 – SEARCH WARRANTS

Dear Ms. York:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 805194.

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. Initially, we note the request for information is for only Affidavits for Search Warrants signed during a specified time period, Search Warrants signed during a specified time period, and each Return and Inventory for the responsive Affidavits for Search Warrants and Search Warrants. A majority of the information you have submitted does not consist of the requested information; thus, this information is not responsive to the request. This ruling does not address the public availability of any information that is not responsive to the request, and such information need not be released in response to this request. You claim the responsive information 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 the responsive information, which we have marked, under section 552.108(a)(1). We note the responsive 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 responsive information we have marked has been filed with a court, you must release it.

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)