



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 6, 2020

Mr. Juan A. Roque
Assistant District Attorney
Bexar County Criminal District Attorney's Office
101 W. Nueva Street, 7th Floor
San Antonio, Texas 78205

OR2020-00750

Re: Request for autopsy report, toxicology results, docs etc; dod 08/08/16; (ME 16-01720); ORR 8047

Dear Mr. Roque:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 811282 (File No. 8047; ME 16-01720).

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 have released some information to the requestor pursuant to section 671.013 of the Health and Safety Code¹ and claim the submitted information may be withheld from public disclosure pursuant to section 552.108(a)(2) of the Government Code on behalf of another law enforcement agency with a law enforcement interest.¹ Further, you inform this office the other law enforcement agency objects to the disclosure of the information. Thus, we conclude you may withhold the submitted information pursuant to section 552.108(a)(2) on behalf of the other law enforcement agency.

¹Health & Safety Code § 671.013(a) (autopsy report shall be released on request to authorized person in connection with determination of cause of death in relation to insurance claim).

¹We note you did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(e). Nonetheless, 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 a compelling reason sufficient to overcome the presumption of openness. *See* Open Records Decision No. 586 (1991).

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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)