



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 13, 2020

Ms. Josi Diaz
Assistant City Attorney
City of Dallas
Criminal Law and Police Unit
1400 South Lamar, 6th Floor 6W
Dallas, Texas 75215

OR2020-01149

Re: Request for Report# 175132-2019; ORR# D026164

Dear Ms. Diaz:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 806123.

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.¹ You claim the Dallas County District Attorney's Office objects to release of the information marked section 552.108(a)(1) of the Government Code. Upon review of your arguments and the information, we conclude you may withhold the information marked under section 552.108(a)(1) on behalf of the Dallas County District Attorney's Office. We 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(s) 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.).

¹ We note you did not comply with the requirements of section 552.301 of the Government Code. See Gov't Code § 552.301(b), (e). Nevertheless, because sections 552.101 and 552.130 of the Government Code and third-party interests can provide compelling reasons to overcome the presumption of openness caused by a failure to comply with section 552.301, we will consider whether the submitted information must be withheld on those grounds.

Ms. Josi Diaz - Page 2

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)