



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 31, 2020

Mr. Gustavo Martinez
City Attorney
City of Mission
1201 East 8th Street
Mission, Texas 78572

OR2020-03088

Re: Request for ORR# 19-0913

Dear Mr. Martinez:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 810402 (ORR# 19-0913).

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 marked dates of birth must be withheld from the requestor pursuant to section 552.101 of the Government Code. Upon review of your arguments and the information, we conclude you must withhold the marked dates 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.). You must release the remaining information.

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)

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). Nevertheless, section 552.101 of the Government Code can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301.