



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 4, 2020

Mr. Joe Zapata  
Administrative Supervisor  
Houston Police Department  
1200 Travis, 10th Floor  
Houston, Texas 77002-6000

OR2020-06776

Re: Request for certain recordings and witness statements related to a particular motor vehicle accident; ORR 19-13370

Dear Mr. Zapata:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 814793.

After reviewing your arguments and the submitted representative sample of information, we have determined your request does not present a novel or complex issue.<sup>1</sup> Thus, we are addressing your claims in a memorandum opinion. You state the city has released some information. You state the city does not have information responsive to a portion of the request.<sup>2</sup> You claim the submitted information may be withheld from the requestor pursuant to section 552.108(a)(2) of the Government Code. Upon review of your arguments and the submitted information, we conclude you may withhold the submitted information under section 552.108(a)(2).

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<sup>1</sup> We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

<sup>2</sup> The Act does not require a governmental body to release information that did not exist when a request for information was received or to prepare new information in response to a request. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dism'd); Open Records Decision Nos. 605 at 2 (1992), 452 at 3 (1986), 362 at 2 (1983).

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)