



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 13, 2020

Mr. John P. Beauchamp
General Counsel
Texas Commission on Law Enforcement
6330 East Highway 290, Suite 200
Austin, Texas 78723-1035

OR2020-10718

Dear Mr. Beauchamp:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 822245 (TCOLE ID 01 27 2020).

The Texas Commission on Law Enforcement (the "commission") received a request for information pertaining to a specified investigation of a named peace officer and his certification test information. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You inform us that the requested information relates to litigation and you provided us with a copy of the lawsuit. *See Tex. Comm'n on Law Enf't v. Paxton*, No. D-1-GN-20-000022 (53rd Dist. Ct., Travis Cty., Tex. Jan. 2, 2020). The lawsuit concerns a previous request for the same information at issue, in response to which this office issued Open Records Letter No. 2019-33722 (2019). In Open Records Letter No. 2019-33722, we determined that the commission must release most of the submitted information. In response to Open Records Letter No. 2019-33722, the commission filed the referenced lawsuit against our office challenging the ruling, which is pending. Accordingly, we will allow the trial court

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to resolve the issue of whether the information that is the subject of the pending litigation must be released to the public.

Sincerely,

Britni Ramirez
Assistant Attorney General
Open Records Division

BR/sb

Ref: ID# 822245

Enc. Submitted documents

c: Requestor
(w/o enclosures)