



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 27, 2020

Mr. Juan A. Roque
Assistant District Attorney
Bexar County
101 West Nueva Street 7th Floor
San Antonio, Texas 78205

OR2020-11894

Re: Request for ORR# 8316, 8331, 8333, 8334, 8372, 8396, 8398

Dear Mr. Roque:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 826864.

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 claim the submitted information may be withheld from public disclosure pursuant to section 552.108(a)(1) of the Government Code on behalf of a law enforcement agency with a law enforcement interest.¹ Further, you inform this office the law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Thus, we conclude you may withhold the submitted information pursuant to section 552.108(a)(1).²

¹ You acknowledge, and we agree, you did not comply with the requirements of section 552.301 of the Government Code for some of the requests. *See* Gov't Code § 552.301(b). Nevertheless, third-party interests can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301.

² Although one of the requestors is a representative of the United States Consumer Product Safety Commission, he does not identify any specific statutory provision that would provide him a right of access under state or federal law to the submitted information. *See* Open Records Decision Nos. 598 (1991), 583 (1990), 451 (1986).

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: 6 Requestors
(w/o enclosures)