



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 3, 2020

Mr. Robert Carroll
Senior Assistant City Attorney
City of Odessa
P.O. Box 4398
Odessa, Texas 79760-4398

OR2020-15325

Re: Request for police report, probable cause affidavit re 141840, robbery (P002816).

Dear Mr. Carroll:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 831575 (COO Req. ID# P002816-032520).

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 Exhibit B may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the information at issue, we conclude you may withhold Exhibit B under section 552.108(a)(1).¹ Additionally, we agree you must withhold the marked date of birth in Exhibit C 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.).

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.

¹ We note the City of Odessa (the “city”) has previously asked this office to issue a previous determination permitting the city to withhold information subject to section 552.108(a)(1) of the Government Code without the necessity of requesting a decision from this office. See Gov’t Code § 552.301(a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision No. 673 (2001). We note a previous determination has been recently issued by this office to the city and refer you to Open Records Letter No. 2020-12335 (2020).

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Enc. Submitted documents

c: Requestor
(w/o enclosures)