



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 14, 2020

Mr. L. Brian Narvaez  
Counsel for the Town of Little Elm  
Brown & Hofmeister, L.L.P.  
740 East Campbell Road, Suite 800  
Richardson, Texas 75081

OR2020-20423

Dear Mr. Narvaez:

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# 839980.

The Town of Little Elm (the "town"), which you represent, received a request for a specified probable cause affidavit. You claim the requested information is subject to a previous ruling by our office. Alternatively, you claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered your arguments.

You state the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2020-16182 (2020). In that ruling, we determined the town must withhold the information at issue under section 552.108(a)(1) of the Government Code. We understand the law, facts, and circumstances on which the prior ruling was based have not changed. Therefore, the town may continue to rely on Open Records Letter No. 2020-16182 as a previous determination and withhold the requested information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Tim Neal  
Assistant Attorney General  
Open Records Division

TN/jm

Ref: ID# 839980

c: Requestor