



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 8, 2020

Mr. Ron G. MacFarlane, Jr.  
Counsel for the City of Cedar Hill  
The MacFarlane Firm  
400 East Royal Lane, Suite 290  
Irving, Texas 75039

OR2020-25367

Re: Request for police records and photographs relating to motor vehicle and pedestrian accidents within the U.S. Highway 67 Widening Project (Belt Line Road to I-20)

Dear Mr. MacFarlane:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 847844.

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 another law enforcement agency with a law enforcement interest.<sup>1</sup> Further, you inform this office the other 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) on behalf of the other law enforcement agency.<sup>1</sup>

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.

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<sup>1</sup>We note you did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(e). Nonetheless, the need of a governmental body, other than the governmental body that failed to timely seek an open records decision, to withhold information under section 552.108 of the Government Code can provide a compelling reason sufficient to overcome the presumption of openness. *See* Open Records Decision No. 586 (1991).

<sup>1</sup> As our ruling is dispositive, we need not address your remaining arguments against disclosure of the submitted information.

Mr. Ron G. MacFarlane, Jr.- Page 2

Enc. Submitted documents

c: Requestor  
(w/o enclosures)