



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 16, 2020

Mr. L. Brian Narvaez  
Counsel for The City of McKinney  
Brown & Hofmeister L.L.P.  
740 East Campbell Road, Suite 800  
Richardson, Texas 75081

OR2020-26142

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# 852624 (ID No. P015950).

The McKinney Police Department (the "department"), which you represent, received a request for information pertaining to a specified motorcycle accident. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You state, and we agree, the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2020-21840 (2020). In Open Records Letter No. 2020-21840, we determined, with the exception of basic information, which must be released, the department may withhold the submitted information under section 552.108(a)(1) of the Government Code. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Accordingly, the department may continue to rely on Open Records Letter No. 2020-21840 as a previous determination and withhold or release the identical information in accordance with that ruling.<sup>1</sup> See Open Records Decision No. 673 at 6-7 (2001) (discussing criteria for first type of previous determination).

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<sup>1</sup> As we are able to make this determination, we do not address your argument against disclosure of the information at issue.

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,

Thana Hussaini  
Assistant Attorney General  
Open Records Division

TSH/be

Ref: ID# 852624

Enc. Submitted documents

c: Requestor  
(w/o enclosures)