



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 9, 2020

Mr. Stephen D. Gates
First Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79701

OR2020-28128

Dear Mr. Gates:

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# 853881 (M031279-082820).

The City of Midland (the "city") received a request for a specified incident report. You claim the requested information is subject to a previous ruling by our office. We have considered your argument.

You state, and we agree, the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2020-21796 (2020). In that ruling, we determined the city must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 261.201 of the Family Code. We understand the law, facts, and circumstances on which the prior ruling was based have not changed. Therefore, the city must continue to rely on Open Records Letter No. 2020-21796 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,

Debbie K. Lee
Deputy Division Chief
Open Records Division

DKL/be

Ref: ID# 853881

c: Requestor