



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 15, 2020

Mr. Juan A. Roque
Assistant District Attorney
Civil Division
Bexar County Criminal District Attorney's Office
101 West Nueva Street, 7th Floor
San Antonio, Texas 78205

OR2020-31328

Re: Request for a specified autopsy report

Dear Mr. Roque:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 858704.

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. We have also received and considered comments from the requestor. *See* Gov't Code § 552.304 (permitting interested third party to submit to attorney general reasons why requested information should or should not be released). 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.¹ 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.

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.

¹You inform us you did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(e-1). 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).

Mr. Juan A. Roque - Page 2

Enc. Submitted documents

c: Requestor
(w/o enclosures)