



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 9, 2022

Mr. James Kopp
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

OR2022-03677

Re: Request for all docs and offense report re cas2101744 i on 01/29/21 W414223.

Dear Mr. Kopp:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 930042 (COSA File No. W414223).

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.¹ Thus, we are addressing your claims in a memorandum opinion. You claim the submitted information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the submitted information, we conclude you may withhold the submitted information under section 552.108(a)(1). However, as you acknowledge, you must release the basic information pursuant to section 552.108(c) of the Government Code. Additionally, we note the submitted information includes a protective order that has been filed with a court. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17); *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (Tex. 1992). Thus, you must also release the submitted protective order under section 552.022(a)(17) of the Government Code.

¹ We note the City of San Antonio (the "city") received an initial request for the same information from this requestor on September 28, 2021. In response to the initial request, the city informs us it released basic information to the requestor within five business days and withheld certain information under section 552.108(a)(1) of the Government Code, pursuant to the previous determination this office issued to the city in Open Records Letter No. 2017-02535 (2017). Subsequently, the requestor made a subsequent request for the same information on November 12, 2021.

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.

Enc. Submitted documents

c: Requestor
(w/o enclosures)