



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

February 9, 2022

Ms. Charla Thomas  
Assistant City Attorney  
City of Temple  
2 North Main Street, Suite 308  
Temple, Texas 76501

OR2022-03840

Re: Request for 10 points of information regarding accident 21001349

Dear Ms. Thomas:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 929126 (Ref. No. 21-3065).

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.<sup>1</sup> We understand you to claim Exhibits B and C 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 Exhibits B and C under section 552.108(a)(1). You claim Exhibit D must be withheld from the requestor pursuant to section 552.101 of the Government Code. Upon review of your arguments and the information, we conclude section 773.091 of the Health and Safety Code is applicable to the submitted information. Thus, with the exception of the information subject to section 773.091(g), you must withhold Exhibit D under section 552.101 in conjunction with 773.091(b).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open>

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<sup>1</sup> We note the city has only submitted video recordings and an emergency medical service record pertaining to the specified incident. To the extent information responsive to the remainder of the request existed on the date the city received the requests, we assume the city has released it. If the city has not released any such information, it must do so at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

[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)