



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 9, 2022

Ms. Heather Silver
Assistant City Attorney
City of Dallas
1400 Botham Jean Boulevard
Dallas, Texas 75215

OR2022-07128

Re: Open Records Request no. D040283

Dear Ms. Silver:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 938288 (ORR# D040283).

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.¹ You claim the information you marked under section 552.108(a)(1) of the Government Code may be withheld from public disclosure pursuant to that section on behalf of a law enforcement agency with a law enforcement interest. Further, you inform this office the 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 information you marked pursuant to section 552.108(a)(1). We also agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code. Lastly, you must withhold the marked dates of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.).

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

¹ You acknowledge, and we agree, you did not comply with the requirements of section 552.301 of the Government Code. *See* Gov't Code § 552.301(b), (e). Nevertheless, sections 552.101 and 552.130 of the Government Code and third-party interests can provide compelling reasons to overcome the presumption of openness caused by a failure to comply with section 552.301.

[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)