



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 18, 2022

Ms. Dyanne Hargrove  
Paralegal  
City of Cedar Park  
450 Cypress Creek Road  
Cedar Park, Texas 78613

OR2022-11108

Dear Ms. Hargrove:

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# 942803 (Ref. No. 22-592).

The City of Cedar Park (the "city") received a request for a specified incident report. You state you have released some information to the requestor. You claim some of the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.108(a)(2) of the Government Code excepts from disclosure information concerning an investigation that concluded in a result other than conviction or deferred adjudication. Gov't Code § 552.108(a)(2). A governmental body claiming section 552.108(a)(2) must demonstrate the information at issue relates to a criminal investigation that has concluded in a final result other than conviction or deferred adjudication. *See id.* §§ 552.108(a)(2), .301(e)(1)(A). You state the information you have marked Exhibit C pertains to a closed criminal investigation that concluded in a result other than conviction or deferred adjudication. Therefore, we agree section 552.108(a)(2) is applicable to the information at issue. Accordingly, the city may withhold Exhibit C under section 552.108(a)(2) of the Government Code. As you raise no further exceptions to disclosure, the city must release the remaining information to this requestor.<sup>1</sup>

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<sup>1</sup> We note the requestor has a special right of access to the information being released under section 552.023 of the Government Code and section 261.201(k) of the Family Code. *See* Gov't Code § 552.023 (governmental body may not deny access to person to whom information relates or person's agent on ground that information is considered confidential by privacy principles); Open Records Decision No. 481 at 4 (1987)

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,

Tim Neal  
Assistant Attorney General  
Open Records Division

TN/jxd

Ref: ID# 942803

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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(privacy theories not implicated when individuals request information concerning themselves); *see also* Fam. Code § 261.201(k). If the city receives another request for this same information from a different requestor, you must again seek a ruling from this office. *See* Gov't Code §§ 552.301, .302; Open Records Decision No. 673 (2001).