



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

April 28, 2022

Ms. Josi Diaz  
Assistant City Attorney  
City of Dallas  
1400 Botham Jean Boulevard  
Dallas, Texas 75215

OR2022-12132

Re: ORR# D037484

Dear Ms. Diaz:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 944825.

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. 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 a law enforcement agency with a law enforcement interest.<sup>1</sup> 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 submitted information pursuant to section 552.108(a)(1).

---

<sup>1</sup> We note you failed to comply with the procedural requirements of section 552.301 of the Government Code in requesting a decision from this office. *See* Gov't Code § 552.301(b) (requiring governmental body to ask for ruling and state exceptions that apply within ten business days of receiving written request), (e) (requiring governmental body to submit within fifteen business days of receiving request for information comments explaining applicability of raised exceptions, copy of request for information, signed statement of date governmental body received request or evidence sufficient to establish date, and copy of information governmental body seeks to withhold or representative samples). However, the needs 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 Nos. 586 (1991). Because you inform us, and provide documentation showing, the Dallas County District Attorney's Office objects to the release of the information at issue, we consider whether you may withhold the information under section 552.108 on behalf of the Dallas County District Attorney's Office.

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)