



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 10, 2022

Ms. Morgan Day Vaughan
Counsel for Hale County
Crenshaw, Dupree & Milam, L.L.P.
P.O. Box 64479
Lubbock, Texas 79464-4479

OR2022-13400

Re: Three requests for information pertaining to a named individual¹

Dear Ms. Vaughan:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 946818 (Ref. No. 54037.76868).

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 state you have released some information to the requestor. 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 prosecuting agency with a law enforcement interest. Further, you inform this office the prosecuting 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). However, you must release the basic information pursuant to section 552.108(c) of the Government Code.²

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 inform us you do not have information responsive to one of the requests for information. The Act does not require a governmental body that receives a request for information to create information that did not exist when the request was received. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 563 at 8 (1990), 555 at 1-2 (1990), 452 at 3 (1986), 362 at 2 (1983).

² As our ruling is dispositive, we need not address your remaining arguments against disclosure. We note, generally, basic information may not be withheld from public disclosure under section 552.103 of the Government Code. Open Records Decision No. 597 (1991).

[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)