



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 9, 2022

Mr. Ryan Brooke  
Assistant City Attorney  
City of Lubbock  
P.O. Box 2000  
Lubbock, Texas 79457

OR2022-16545

Re: Request for case nos. G000309, G000315, G000316, G000317, and G000319

Dear Mr. Brooke:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 952896.

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> You indicate you will withhold information pursuant to section 552.147(b) of the Government Code.<sup>2</sup> You claim the submitted dates of birth 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 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.). We also agree you must withhold the motor vehicle record information you have indicated in accordance with section 552.130 of the Government Code.

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<sup>1</sup> We note 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 can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301.

<sup>2</sup> Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act. *See* Gov't Code § 552.147(b).

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)