



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 27, 2022

Ms. Charla Thomas  
Deputy City Attorney  
City of Temple  
2 North Main, Suite 308  
Temple, Texas 76501

OR2022-18457

Dear Ms. Thomas:

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# 955732.

The City of Temple (the "city") received a request for a specified incident report. The city claims the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

We note, and the city states, the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2022-06447 (2022). In that ruling, we determined except for the basic information, which must be released, the city may withhold the submitted information under section 552.108(a)(1) of the Government Code. The city states there has been no change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the city may rely on Open Records Letter No. 2022-06447 as a previous determination and withhold or release the submitted information in accordance with that ruling.<sup>1</sup> *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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<sup>1</sup> As our ruling is dispositive, we need not address the city's argument against disclosure of the submitted information.

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,

Katie Stallcup  
Assistant Attorney General  
Open Records Division

AKS/be

Ref: ID# 955732

Enc. Submitted documents

c: Requestor  
(w/o enclosures)