



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 4, 2022

Mr. Naved Qazi
Assistant District Attorney
Dallas County
500 Elm Street, Suite 6300
Dallas, Texas 75202

OR2022-30532

Dear Mr. Qazi:

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# 976300 (Ref. No. D005874-062922).

Dallas County (the "county") received a request for certain communications including specified key terms or involving named individuals during a defined period of time.¹ Although you take no position as to whether the submitted information is excepted under the Act, you state release of the submitted information may implicate the proprietary interests of the City of Cockrell Hill (the "city").² Accordingly, you state, and provide documentation showing, you notified the city of the request for information and of its right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.304 (providing interested party may submit comments stating why information should or should not be released). We have reviewed the submitted information.

¹ You state the county sought and received clarification of the information requested. *See* Gov't Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); *see also* *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

² We note the county did not comply with section 552.301 of the Government Code in requesting a ruling from this office. *See* Gov't Code § 552.301(b), (e). Nonetheless, because the interests of third parties can provide a compelling reason to overcome the presumption of openness, we will consider whether any of the submitted information is excepted from disclosure under the Act. *See id.* §§ 552.007, .302, .352.

As of the date of this letter, we have not received any comments from the city explaining why any portion of the submitted information should not be released to the requestor. Thus, the county may not withhold the submitted information based on any interest the city may have in the information. As no exceptions to disclosure have been raised, the county must release 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,

Michelle Garza
Attorney
Open Records Division

MRG/jxd

Ref: ID# 976300

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)