



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 26, 2022

Mr. Ruben H. Nevarez, Jr.
Assistant County Attorney
El Paso County Attorney's Office
500 East San Antonio, Room 503
El Paso, Texas 79901

OR2022-33129

Dear Mr. Nevarez:

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# 981480 (Reference No. 0627-22-PI).

The El Paso County Sheriff's Office (the "sheriff's office") received a request for information pertaining to a specified incident. You state you have released some information. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You inform this office the requested information was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2022-19013 (2022). In that ruling, we determined: (1) with the exception of the citation and basic information, which must be release, the sheriff's office may withhold the submitted information under section 552.108(a)(1) of the Government Code; and (2) in releasing the citation, you must withhold the driver license and license plate information under section 552.130 of the Government Code and the date of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Thus, the sheriff's office may continue to rely on Open Records Letter No. 2022-19013 as a previous determination and withhold or release the submitted information in accordance with that ruling.¹ See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which

¹ As we are able to make this determination, we need not address your argument against disclosure of the requested information.

prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,

Jahnna Ward
Assistant Attorney General
Open Records Division

JW/mo

Ref: ID# 981480

Enc. Submitted documents

c: Requestor
(w/o enclosures)