



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 18, 2022

Ms. Katherine B. McCarty
First Assistant County Attorney
Liberty County
1923 Sam Houston Street, Suite 202
Liberty, Texas 77575

OR2022-36125

Dear Ms. McCarty:

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# 986288.

The Liberty County Sheriff's Office and the Liberty County District Attorney's Office (collectively, the "county") received two requests for information pertaining to a specified incident involving a named individual. You claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim.

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. 2022-25732 (2022). In that ruling, we determined the county may withhold the submitted information under section 552.108(a)(2) of the Government Code. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Thus, the county may continue to rely on Open Records Letter No. 2022-25732 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 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).

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

Jahnna Ward
Assistant Attorney General
Open Records Division

JW/pt

Ref: ID# 986288

c: Requestor