



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 29, 2022

Ms. Erin Higgenbotham
Counsel for the City of Liberty Hill
Bojorquez Law Firm
11675 Jollyville Road, Suite 300
Austin, TX 78759

OR2022-36786

Re: Request for records pertaining to specified incident on 09/05/2022

Dear Ms. Higginbotham:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 982522 (Ref. No. R000651-090522).

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. In this instance, the requestor does not give the requisite information under section 1701.661(a) of the Occupations Code. As the requestor did not properly request the body worn camera recording at issue pursuant to chapter 1701, our ruling does not reach this information and it need not be released. You claim the remaining video recording must be withheld from the requestor in its entirety pursuant to section 552.130 of the Government Code because you lack the technological capability to redact the motor vehicle record information from the recording. You must withhold the remaining video recording pursuant to section 552.130 of the Government Code. You must also withhold the motor vehicle record information you marked, and we marked, in the submitted document in accordance with section 552.130 of the Government Code. Lastly, you must withhold the date of birth you marked 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.).

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)