



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 8, 2022

Mr. Stephen D Gates  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79702

OR2022-38040

Re: Request for information, notes, records, affidavit, etc. Re incident on 07/28/22,  
File No. 216461. (ORR M038694-091522).

Dear Mr. Gates:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 988521.

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. You claim the submitted information must be withheld from the requestor pursuant to section 552.101 of the Government Code. Upon review of your arguments and the information, we conclude section 773.091 of the Health and Safety Code is applicable to the submitted information. Thus, with the exception of the information subject to section 773.091(g), you must withhold the submitted information under section 552.101 in conjunction with 773.091(b).

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)