



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 9, 2022

Mr. David Iglesias
Counsel for Leon County
Iglesias Law Firm, PLLC
605 Chase Drive, Suite 8
Tyler, Texas 75701

OR2022-38191

Dear Mr. Iglesias:

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# 989021.

The Leon County Sheriff's Office (the "sheriff's office"), which you represent, received a request for certain personnel records for named employees. You claim the submitted information is excepted from disclosure under sections 552.101, 552.102, 552.103, 552.117, and 552.140 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

The submitted information was the subject of a previous request for information from the same requestor, as a result of which this office issued Open Records Letter No. 2022-32404 (2022). In that ruling, we determined the sheriff's office must: (1) withhold the information we marked under section 552.101 of the Government Code in conjunction with section 1701.454 of the Occupations Code; (2) withhold the information we marked under section 552.101 of the Government Code in conjunction with section 411.083 of the Government Code; (3) withhold the fingerprints we marked under section 552.101 of the Government Code in conjunction with section 560.003 of the Government Code; (4) withhold the information we marked under section 552.101 of the Government Code in conjunction with common-law privacy; (5) withhold the information we marked under section 552.117(a)(2) of the Government Code; however, the marked cellular telephone numbers may be withheld only if a governmental body does not pay for the cellular telephone service; (6) withhold the motor vehicle record information we marked under section 552.130 of the Government Code; (7) withhold the insurance policy numbers we marked under section 552.136 of the Government Code; (8) withhold the personal e-mail addresses we marked under section

552.137 of the Government Code, unless the owners affirmatively consent to their public disclosure; (9) withhold the military discharge record we marked under section 552.140 of the Government Code; and (10) release the remaining responsive information. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the sheriff's office must rely on Open Records Letter No. 2022-32404 as a previous determination and withhold and release the information in accordance with that ruling. *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 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,

D. Michelle Case
Assistant Attorney General
Open Records Division

DMH/pt

Ref: ID# 989021

Enc. Submitted documents

c: Requestor
(w/o enclosures)