



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 12, 2022

Ms. Nelly R. Herrera
Vice Chancellor and General Counsel
The Texas State University System
601 Colorado Street
Austin, Texas 78701-2904

OR2022-38436

Re: Open records request no. 22076.7

Dear Ms. Herrera:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 985149 (ORR# 22076.7).

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.¹ The submitted information reveals the requestor knows the identity of the individual involved as well as the nature of the information at issue. Therefore, withholding only the individual's identity or certain details of the incident from the requestor would not preserve the subject individual's common-law right of privacy. Accordingly, to protect the privacy of the individual to whom the information relates, you must withhold the submitted information in its entirety under section 552.101 of the Government Code in conjunction with common-law privacy.

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.

c: Requestor

¹ You acknowledge you did not comply with the requirements of section 552.301 of the Government Code. See Gov't Code § 552.301(b), (e). Nevertheless, section 552.101 of the Government Code can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301.