



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 13, 2022

Mr. Nicholas Toulet  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79702

OR2022-38569

Re: Request for criminal records involving a named individual (ORR# M038704-091622)

Dear Mr. Toulet:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 989261.

After reviewing your arguments, 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 requested information must be withheld from the requestor. A request to compile an individual's criminal history implicates this person's privacy. We have concluded such a compilation is highly embarrassing information and is generally not of legitimate concern to the public. Therefore, to the extent you maintain law enforcement records depicting the named individual as a suspect, arrestee, or criminal defendant, you must withhold the requested information under section 552.101 of the Government Code in conjunction with common-law privacy.<sup>1</sup>

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)

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<sup>1</sup> Although the requestor is a representative of the Tulare County Health & Human Services Agency, the requestor does not identify any specific statutory provision that would provide her a right of access under state or federal law to any information being withheld. See Open Records Decision Nos. 598 (1991), 583 (1990), 451 (1986).