



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 3, 2020

Mr. Robert Carroll
Senior Assistant City Attorney
City of Odessa
P.O. Box 4398
Odessa, Texas 79760-4398

OR2020-15322

Re: Request for

Dear Mr. Carroll:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 831577 (COO Req. ID# P002817-032520).

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 Exhibit B may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the information at issue, we conclude you may withhold Exhibit B under section 552.108(a)(1).¹ Additionally, in releasing Exhibit C, we agree you must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code. We further agree you must withhold the marked dates of birth 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->

¹ We note the City of Odessa (the “city”) has previously asked this office to issue a previous determination permitting the city to withhold information subject to section 552.108(a)(1) of the Government Code without the necessity of requesting a decision from this office. *See* Gov’t Code § 552.301(a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision No. 673 (2001). We note a previous determination has been recently issued by this office to the city and refer you to Open Records Letter No. 2020-12335 (2020).

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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)