



October 9, 2025

The Honorable Ken Paxton
Texas Attorney General
c/o Open Records Division-014
P.O. Box 12548
Austin, Texas 78711

ELECTRONICALLY E-FILED

**RE: Public Information Request received on October 1, 2025, by Brooke Colombo
(PIR# R002226-100125)**

Dear Attorney General Paxton:

The City of Denton ("City") received the above public information request submitted on October 1, 2025, by Brooke Colombo. The City believes the information at issue is excepted from required public disclosure under sections 552.101 through 552.160 of the Government Code. This letter is a request for a determination under sections 552.101 and 552.108, and all other applicable sections of the Government Code that the information at issue is so excepted. These are the City's arguments against the release of the information at issue. Included are the labeled copies of the information to which the exceptions apply as required under Section 552.301(e) of the Texas Government Code and the Public Information Act. The City is notifying the requestor by copy of this letter, that it has provided information for a decision from the Office of the Attorney General.

I. Factual Background

The following is background information concerning this public information request. The requestor, Brooke Colombo, is seeking: "Incident Report." Basic information as defined by the *Houston Chronicle*¹ case was not provided to the requestor to protect the privacy of the individual to whom the information relates under section 552.101 of the Government Code in conjunction with common-law privacy. The City has enclosed exhibits for your review. Exhibit A is the request for information. Exhibit B is the Incident Report 25133789 with regards to Murder.

II. Applicable Law and Arguments

§552.101 encompasses the doctrine of common-law privacy, which protects information that is (1) highly intimate or embarrassing, the publication of which would be highly objectionable to a reasonable person, and (2) not of legitimate concern to the public. To demonstrate the applicability of common-law privacy, both prongs of this test must be satisfied. Types of information considered intimate and embarrassing by the Texas Supreme Court are delineated in *Industrial Foundation*. Generally, only highly intimate information that implies the privacy of an individual is withheld. Exhibit B has in the narrative the [REDACTED]

¹ *Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.-Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 216 (1978).

OUR CORE VALUES

Integrity • Fiscal Responsibility • Transparency • Outstanding Customer Service

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[REDACTED]

[REDACTED]

[REDACTED]. To protect the privacy of the subject individual, to whom the information relates, we request that this information be withheld in its entirety under section 552.101 of the Government Code in conjunction with common-law privacy, to include basic information. Additionally, the release of this information in this situation would be highly objectionable to a reasonable person and not of legitimate concern to the public. The highlighted information above is redacted from the requestor's copy.

§552.108(a)(2) of the Government Code excepts from disclosure information concerning an investigation that concluded in a result other than conviction or deferred adjudication. Exhibit B contains information that dealt with Murder. The investigation in this report [REDACTED]

[REDACTED]. The incident did not result in a conviction or deferred adjudication. Therefore, the information in Exhibit B should be excepted from disclosure. The highlighted information above is redacted from the requestor's copy.

If you have any questions do not hesitate to contact me at (940) 349-8333.

Sincerely,



Hilary McMahon
Deputy City Attorney

Enclosures: Exhibit A – R002226-100125
Exhibit B – Incident Report 25133789

cc: Terry Shaw, Denton PD Records, (w/o enclosures)
Brooke Colombo (w/o enclosures)
Via Email: bcolombo@dentonrc.com