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March 24, 2026

VIA EMAIL:

Harold "Wayne" [REDACTED]
[REDACTED]
[REDACTED]

RE: [REDACTED]'s Public Information Act request to Colorado County dated March 10, 2026 regarding communications

Dear Mr. [REDACTED]:

Our office represents Colorado County in this matter. Colorado County received your request pursuant to the Public Information Act (the Act) on March 10, 2026. Specifically, you ask for "All communications — including but not limited to emails, text messages, written memoranda, letters, notes, and instant messages — between or among any of the following Colorado County officials:

- County Judge Ty Prause
- County Attorney Jay Johannes
- Sheriff Justin Lindemann
- Commissioner Precinct 1
- Commissioner Precinct 2
- Commissioner Precinct 3
- Commissioner Precinct 4

For the time period of January 19, 2026 through the present, concerning any of the following subjects:

1. [REDACTED]
2. [REDACTED]
3. The January 19, 2026 incident at the Colorado County Jail
4. Lt. Holly Smith
5. Any civil rights claim, notice of claim, or threatened litigation involving the jail
6. Federal grant funds received by Colorado County, including but not limited to State and Local Fiscal Recovery Funds (SLFRF), Homeland Security grants (SHSP), or any other federal funds designated for jail operations or compliance
7. The County's lack of PREA policies, PREA coordinator, PREA training, or Use of Force policies — and any notification to the Commissioners Court regarding the same
8. Civil rights compliance certifications or assurances submitted in connection with any federal grant application

SCOPE OF REQUEST

This request includes communications sent or received on both official county accounts and any personal email accounts, personal cell phones, or other personal devices used to conduct county business. Under Texas law, records do not lose their public character simply because they are stored on a personal device or account.

This request specifically includes any communications between or among members of the Commissioners Court (the County Judge and Commissioners from Precincts 1-4) that discuss any of the subjects listed above. I am particularly interested in any communications that may have created a quorum of the Commissioners Court outside of a properly noticed public meeting.”

The purpose of this letter is to timely provide you a response to your request. As you are probably aware, the Public Information Act requires that certain information remain confidential. In circumstances where such exclusions may apply, the governmental entity (Colorado County) is required to submit the documents to the Texas Attorney General for a confidentiality determination. Therefore, the requested documents are being withheld pursuant to those exceptions and are being submitted to the Texas Attorney General for a decision on whether the PIA requires that these documents be withheld. This process is not to interfere with governmental transparency but to protect confidential information that may not be disclosed without approval from the Attorney General.

Specifically, section 552.101 of the Public Information Act provides for an exception to the disclosure of public records when information requested is confidential by law; section 552.103 which provides an exception for pending or threatened litigation; section 552.107 which provides an exception for certain legal matters; section 552.108 which provides an exception for certain law enforcement, corrections, and prosecutorial information; section 552.111 which provides an exception for agency memoranda; and section 552.136 which provides for confidentiality of certain financial information.

SPECIAL NOTICE(S):

Colorado County will forward its discussion of exceptions regarding the documents being withheld to the Attorney General within fifteen (15) business days from the date of the request. A copy will be forwarded to you at that time. The portions of the discussion that would tend to reveal the nature of withheld information will be redacted to preserve the invocation of privilege or exception. — TEX. GOVT. CODE ANN. § 552.301(d)(2).

Sincerely,



J. Eric Magee

JEM/jm

Enclosures

cc: Office of the Attorney General, State of Texas