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April 9, 2026

VIA EMAIL

The Honorable Ty Prause
Colorado County Judge
400 Spring Street, Suite 102
Columbus, TX 78934

ty.prause@co.colorado.tx.us

RE: Notice of Expired Production Deadline and Referral to Attorney General — Public Information Request Dated March 9, 2026 (Insurance Coverage Records)

Dear Judge Prause:

This letter provides notice that the production deadline established in my demand letter of April 2, 2026 has now expired. You were directed to produce all records responsive to my March 9, 2026 Public Information Act request — concerning Colorado County’s liability insurance coverage — no later than April 9, 2026. As of today, that deadline has passed without any production of records.

The waiver is conclusive. Under Tex. Gov. Code § 552.221(a), a governmental body must promptly produce public information upon request. Under § 552.301, if a governmental body wishes to withhold requested information, it must seek an Attorney General ruling within ten business days of receiving the request. Your office received my request on March 9, 2026. The ten-business-day deadline expired on March 24, 2026. Because your office failed to seek an Attorney General ruling by that date, the records are presumed public and the right to withhold them has been permanently waived under § 552.302. No subsequent action by your office — including a belated AG referral — can revive that waived right.

Judge Prause’s role establishes direct responsibility for county insurance records. As presiding officer of the Commissioners Court — the governing body that authorizes all county expenditures and contracts for county-wide liability insurance coverage — Judge Prause cannot credibly claim to have no knowledge of or access to the County’s insurance records. The Commissioners Court’s exclusive authority over county finances and procurement makes

insurance coverage records squarely within the scope of records created or received by Judge Prause's office under Tex. Gov. Code § 552.201(b). As an elected county officer, Judge Prause is the officer for public information and custodian of those records by operation of law.

The custodian of the requested records has been identified. Your office and the Colorado County Auditor's Office share the same outside counsel, J. Eric Magee of Allison, Bass & Magee, L.L.P. On April 8, 2026, Mr. Magee filed an AG referral on behalf of the Auditor confirming that the Auditor's Office received your request and possesses responsive records related to Colorado County's liability insurance coverage. This constitutes an acknowledgment by the County's own counsel that responsive insurance records exist within Colorado County — directly contradicting your office's claim of no responsive documents. The existence of responsive records within the County is no longer in dispute.

Note regarding the Auditor's referral. The Auditor's separate AG referral is a separate proceeding on a separate docket. It does not cure your office's waiver and does not relieve you of your independent obligation to produce responsive records held by or known to your office within the statutory deadline.

Accordingly, I am referring your office's failure to comply with the Texas Public Information Act to the Office of the Attorney General for enforcement action under Tex. Gov. Code § 552.353. I am also preserving all rights to seek a writ of mandamus under § 552.321 compelling immediate production of the responsive records.

Please govern yourself accordingly.

Respectfully,

/s/ Wayne McKnight
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CC: J. Eric Magee, Allison, Bass & Magee, L.L.P., e.magee@allison-bass.com
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78711-2548