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Carin Carroll
District Clerk
Titus County, Texas
Debbie Swindler

CAUSE NO. 44437

KYLE DOUGLAS MORING, Petitioner, v. **CITY OF MOUNT PLEASANT, TEXAS,** Respondent.	§ § § § § § § §	IN THE DISTRICT COURT OF TITUS COUNTY, TEXAS 76th JUDICIAL DISTRICT

PETITIONER'S FIRST AMENDED PETITION FOR WRIT OF MANDAMUS

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

(Texas Rule of Civil Procedure 21c)

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner Kyle Douglas Moring files this First Amended Petition for Writ of Mandamus against Respondent City of Mount Pleasant, Texas, and respectfully shows the Court as follows:

I. DISCOVERY CONTROL PLAN

1. Discovery in this case is intended to be conducted under Level 2 of Texas Rule of Civil Procedure 190.

II. RELIEF SOUGHT

2. The relief sought is within the jurisdictional limits of this Court. Pursuant to Texas Rule of Civil Procedure 47(c)(5), Petitioner seeks only non-monetary relief, together with statutory costs of litigation, costs of court, and any other relief authorized by law. Petitioner does not seek monetary damages.

III. PARTIES

3. Petitioner Kyle Douglas Moring is an individual residing at [redacted] Petitioner is a citizen of Texas and has standing to bring this action as a requestor of public information under Chapter 552 of the Texas Government Code.

4. Respondent City of Mount Pleasant, Texas is a home-rule municipality organized under the laws of Texas, with its main offices located at 501 North Madison Avenue, Mount Pleasant, Titus County, Texas 75455. Respondent is a "governmental body" as defined by Texas Government Code § 552.003(1)(A).

IV. JURISDICTION AND VENUE

5. This Court has jurisdiction pursuant to Texas Government Code § 552.321(a), which authorizes a requestor to file suit for writ of mandamus compelling a governmental body to make public information available when the governmental body refuses to request an Attorney General decision as provided by Subchapter G or refuses to supply public information.

6. Venue is proper in this Court pursuant to Texas Government Code § 552.321(b), because the City's main offices are located in Titus County, Texas.

7. Petitioner is not required to defer suit while awaiting further action by the Office of the Attorney General. See Kallinen v. City of Houston, 462 S.W.3d 25, 30 (Tex. 2015); Tex. Gov't Code § 552.321(a).

V. GENERAL FACTUAL BACKGROUND

8. Respondent was personally served with citation and Petitioner's Original Petition for Writ of Mandamus on June 16, 2026. The service packet also included Petitioner's Exhibit Binder Volumes 1 and 2, as reflected in the filed service-packet checklist attached to the officer's return. The officer's return of service is on file with the Court. Petitioner files this First Amended Petition to add newly developed and supplemental Texas Public Information Act nonproduction facts, including Counts XI through XIII and Petitioner's Supplemental Exhibit Binder, Volume 3 of 3, and does not add any new party. Petitioner incorporates by reference the previously filed Petitioner's Exhibit Binder, Volumes 1 and 2. Supplemental Volume 3 supplements, and does not replace, those previously filed volumes.

9. Beginning on July 18, 2025, and continuing through May 13, 2026, Petitioner submitted the public-information requests pleaded in Counts I through XIII of this

petition to the City of Mount Pleasant under the Texas Public Information Act, Chapter 552 of the Texas Government Code. These requests sought records relating to law-enforcement case files, food-safety and fire-safety inspections, temporary-custodian records, regulatory correspondence, municipal telephone records, code-compliance records, City-attorney communications, City public-information-request records, and keyword-based searches of City electronic systems.

10. Petitioner had also submitted other TPIA requests to the City. Those requests are not pleaded as independent mandamus counts unless expressly identified below. Some of those records are included as supplemental pattern evidence because they rebut City representations made during the OAG review and show that the same production, search, format, temporary-custodian, certification, and closure practices continued.

11. As of the date of this filing, the City has not fully resolved the requests pleaded in Counts I through XIII. Each of the requests pleaded in Counts I through IX and Counts XI through XIII was the subject of a formal complaint reviewed by the Office of the Attorney General in association with OAG File No. L260017200. Petitioner additionally pleads Count X, which concerns a later request submitted May 13, 2026 that is the subject of a separate Attorney General complaint, OAG File No. OR-26-027775-IC, and is independently subject to mandamus under Texas Government Code § 552.321.

12. Petitioner also pursued the statutory § 552.3215 complaint process through the Titus County District Attorney and the Office of the Attorney General. That process did not result in production of the outstanding City records, a binding production schedule, a verified request-by-request search declaration, or judicially enforceable relief.

13. Petitioner served written preservation and litigation-hold notices on the City. On November 3, 2025, Petitioner directed the City Secretary, copying the City Manager and the City's outside counsel, to place an immediate preservation hold on all records and electronically stored information concerning Walmart Store #131

16. For the Court's convenience, Petitioner contemporaneously files Petitioner's Reference Chronology, a non-evidentiary chronology of the requests, complaints, rulings, and procedural events discussed in this petition. The petition controls in the event of any inconsistency.

17. Petitioner includes cost-estimate, bond, § 552.275 personnel-time-limit, preservation, Open Government Hotline, District Attorney, Office of the Attorney General, and § 552.3215 complaint facts only as factual background, pattern evidence, exhaustion and context evidence, and evidence supporting the need for production, verified search declarations, source-record accounting, and preservation-related relief. Petitioner does not ask this Court to adjudicate any standalone cost-overcharge complaint, any § 552.275 dispute, to supervise the Office of the Attorney General's § 552.3215 enforcement discretion, to review the District Attorney's handling of any complaint, or to adjudicate an Open Meetings Act claim in this proceeding.

18. Under the TPIA, an officer for public information must promptly produce public information for inspection, duplication, or both. Tex. Gov't Code § 552.221(a). "Promptly" means as soon as possible without delay and within a reasonable time. If a governmental body cannot produce requested information within ten business days, the officer for public information must certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available. Tex. Gov't Code § 552.221(d). If a governmental body seeks to withhold responsive information, it must request a decision from the Attorney General within the statutory deadline. Tex. Gov't Code § 552.301. Failure to timely request an Attorney General decision creates a presumption that the information is public. Tex. Gov't Code § 552.302.

19. Except for the request pleaded in Count XII, which was received before September 1, 2025, the requests pleaded as counts were received on or after September 1, 2025 and are subject to the 2025 amendments to the TPIA, including Texas Government Code §§ 552.221(f) and 552.328. Section 552.221(f) requires

written no-records notice not later than the tenth business day after receipt if the governmental body determines it has no information responsive to a request, and § 552.328 authorizes a requestor to file a written complaint with the Attorney General when a governmental body fails to comply with § 552.221. Petitioner does not rely on those provisions as an independent basis for Count XII, and those administrative complaint procedures did not result in full production or enforceable relief.

20. Petitioner's requests further asked the City, in any instance where it contended that no responsive records existed, to identify the search methodology used and to provide a written certification of non-existence. The City repeatedly did neither. Petitioner seeks verified search declarations as judicial relief necessary to resolve the pleaded production disputes. Petitioner seeks existing audit, access, and activity records only to the extent those records were expressly requested, are otherwise responsive to a request pleaded in Counts I through XIII, or document access to, removal of, replacement of, or disabling of a specific production or production link placed at issue in this petition.

21. Texas Government Code § 552.321 authorizes mandamus when a governmental body refuses to request an Attorney General decision as required by Subchapter G or refuses to supply public information. The counts below plead those statutory grounds as applicable to the particular requests. In any event, Petitioner also satisfies traditional mandamus considerations because Petitioner has a clear legal right to responsive public information, Respondent has a ministerial duty to produce responsive public information or timely invoke the Act's withholding procedures, and the administrative and § 552.3215 complaint processes have not resulted in complete production, a final production schedule, or verified resolution of the records disputes.

VI. OAG FINAL DETERMINATION, THE FOOTNOTE-8 STANDARD, AND DISPUTED CITY REPRESENTATIONS

22. On May 22, 2026, the OAG Criminal Prosecutions Division issued a final determination under Texas Government Code § 552.3215 concerning Petitioner's complaint against the City. The OAG declined to bring enforcement action. As to the group of complaints in which Petitioner contended that all responsive records had not been provided, the determination found no violation on the stated basis that "CMP has stated that all responsive information has been produced or is in the process of being produced," and it expressly adopted, in footnote 8, the evidentiary standard that "[t]he OAG will accept all statements from the public information officer of the governmental body as true unless evidence clearly indicates a contrary conclusion." The determination did not compel production of the outstanding records, did not resolve the factual disputes identified below, and did not adjudicate Petitioner's independent requestor remedy under Texas Government Code § 552.321.

23. The findings of "no violation" on the production-completeness complaints therefore rest on the footnote-8 presumption that the City's representations are accurate. Petitioner disputes that premise. The evidence set out below — drawn almost entirely from the City's own records, productions, certifications, and written statements — clearly indicates a contrary conclusion as to specific requests.

24. As foundation, the reliability of the City's "closure" and "no responsive records" representations is itself in question. A review of the City's 402-email TPIA correspondence set with Petitioner identified thirty-five qualifying City statements that closed a request, declared no responsive records, or both; six matters in which the City reopened or supplemented a request after Petitioner challenged it, with the later production contradicting the earlier representation in each instance; seven further matters in which Petitioner challenged a closure or "no records" statement and the City did not respond at all; and eleven TPIA-related threads that remained unresolved or stalled. That the City's "no responsive records" representations have been shown wrong, by the City's own subsequent productions, in six separate

matters bears directly on how much weight those representations can carry under footnote 8.

25. Two specific reliability facts reinforce the point. First, on September 29, 2025, City Secretary Candias Webster executed a certification under Texas Government Code § 552.232(b) representing that the City had completely produced the records responsive to a prior request; yet the supervisor-of-record form for pretreatment operator Juan Ramirez — expressly requested, and completed and signed by City Building Official John Ankrum on January 17, 2025 — was never produced by the City and reached Petitioner only through the Texas Department of Licensing and Regulation's October 29, 2025 production (TDLR request R043137-092725). A third-party agency produced a City record the City had certified it produced completely. Second, the City's own Records Management Officer — the same City Secretary whose "no responsive records" statements the determination credited — has certified to the Texas State Library and Archives Commission, on Form SLR 508, that the City maintains records control schedules "for all records," covering every City department including the Police Department. A bare "no responsive records" statement is difficult to reconcile with that certification where the requested records are of a type ordinarily created or retained in the normal course of business.

26. First, the City represented that responsive messages were provided in native format (determination footnote 1). Petitioner disputes that representation. The City's email production for the November 13, 2025 request was delivered as a single combined 232-page PDF binder that contains no Message-IDs, carries only reduced headers, and separates attachments from their parent emails; the text messages from Chief Buhman's device were produced as screenshots; and the City separately supplied a hand-typed list of message timestamps — a created summary, not a native export. Native-format (.msg) production was made only for a different request. The City has acknowledged that Microsoft 365 / Purview can export responsive email natively in .pst or .msg formats to preserve routing headers, yet

Petitioner's productions were repeatedly provided as print-to-PDF, print-to-scan, screenshots, or other non-native records.

27. Second, the City represented that screenshots of call logs were provided (determination footnote 3). Petitioner disputes that representation as to the December 4, 2025 Chief Buhman temporary-custodian request: he received a hand-typed, two-line narrative summary of two calls, not a screenshot, native call-history export, carrier-generated record, or account-level record. Footnotes 1 and 3 describe the City's handling of records from the same custodian's same personal device, and they cannot both be accurate — the text messages were screenshots and the call logs were a typed summary. That internal inconsistency is itself evidence bearing on the footnote-8 presumption.

28. Third, the City represented that additional Walmart-related records were produced in response to later requests only because those later requests included additional keywords (determination footnote 4). Petitioner disputes that characterization. Twenty-three later-produced native email records were dated within the original December 30, 2025 request range and matched search terms the original request itself specified ("Walmart Store #131," "Walmart #131," "Wal-Mart," the bare word "Walmart," and the walmart.com domain). Their later production demonstrates that the February 2, 2026 production was incomplete, not that the records were outside the original request.

29. Fourth, the City represented or implied that search-methodology, software, or export-capability records did not exist until after implementation of a software upgrade (determination footnote 6). Petitioner disputes that representation. On February 25 and 27, 2026, the City certified it possessed no records and no information responsive to a request expressly directed to its systems' export formats and search methods; thirteen days later, on March 10, 2026, the City described its Microsoft Purview e-discovery and native-export capability in technical detail and produced its IT-routing emails, and its accounts-payable records show it paid for the Microsoft 365 environment throughout the period. The City's "print-to-scan / cannot

export electronically" claims are likewise contradicted by its March 10 description, by its actual native .msg production of the December 30, 2025 request, and by its vendors' own manuals and system screens for the MyGov, HS GovTech / HSCloud, and Tyler Technologies platforms, each of which generates, exports, and transmits records electronically as a standard feature. The City's own documentation-retention timeline — its October 2024 Datamax breach and default, its December 2024 Bryan IT proposal, its January 2025 Bryan IT contract approval, and its recurring Microsoft 365 subscription payments — further confirms that the search-and-export environment the City described on March 10, 2026 was in place and paid for well before the February 2026 certifications that responsive search-capability records did not exist. See Exhibit K-15.

30. Fifth, the City represented that responsive information was produced or being produced on a rolling basis. Petitioner does not dispute that rolling-production notices were sent; he disputes that those notices resolved the requests. For the regulatory-agency correspondence request, the City provided rolling-production notices on March 27, April 21, and May 21, 2026, but never provided a final completion certification, a search methodology, a category-by-category accounting, a no-records position, or an explanation of what remained under review, withheld, or nonexistent.

31. Sixth, two entire records repositories within the City's control appear never to have been searched. The Mount Pleasant Police Department's records management system is CRIMES, operated by the Police Research Center at Sam Houston State University and paid by the City since 2009 per the City's accounts-payable records, with documented search, export, NIBRS/UCR, CAD-reporting, and data-sharing capability. The City also maintains an Axon Evidence.com tenant (mountpleasantpdtx.evidence.com) with documented search, export, download, audit-trail, and case-association functions; sixty Axon Community Request evidence-request notices identify eleven named MPPD officers and fifty-six unique displayed case IDs, direct evidence of case-associated records involving Petitioner,

recording later appeared to end before the meeting concluded. Petitioner preserved his own contemporaneous audio recording and includes the full transcript in the exhibit binder. See Exhibit K-2.

34. Petitioner has prepared a statement-by-statement discrepancy analysis identifying the City representations relied upon during the OAG review and the contemporaneous records that contradict or materially qualify those representations. See Exhibit K-1.

35. Petitioner also disputes the City's withholding rationale in the Rodriguez fire-safety-plan matter. The City represented that additional Walmart Store #131 plans could not be released because they would reveal water, sewer, and gas-line locations and the location of safes. However, the City had already voluntarily produced the "Curbside addition and remodel 2024" plan set for Walmart Store #131 on June 11, 2025, including plan pages showing the same categories of information. That prior production directly contradicts the stated withholding rationale and further shows that the City's representations regarding what it can withhold or has already disclosed are unreliable. See Exhibit K-6. The Open Records Division's June 2, 2026 letter ruling (OR2026-018153) confirms the point: it held that only the marked critical-infrastructure vulnerability details may be withheld, that the City "may not withhold any portion of the remaining information," and that the City may not selectively withhold previously released information. The separate question of the City's failure to release the remaining records after that ruling is addressed in Petitioner's Supplemental Pattern Evidence below (Section VII).

36. Petitioner does not ask the Court to review the OAG's enforcement discretion. Petitioner seeks the independent requestor remedy provided by Texas Government Code § 552.321: production of existing responsive public information or, in the alternative, verified declarations identifying what was produced, withheld, determined not to exist, or still being reviewed, and what custodians, temporary

COUNT II

OR-25-057990-IC — October 28, 2025 Walmart Inspection / FS-473844

47. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

48. On October 29, 2025, Petitioner submitted a TPIA request for records reflecting or arising from any City meeting or site visit with Walmart Store #131 management on or about October 28, 2025, including inter-agency communications, field notes, inspection records, photographs, directives, travel logs, and related materials. See Exhibit B.

49. The City produced a partial response on November 12, 2025, consisting of an HSCloud export and photographs. After reviewing that production, Petitioner identified an additional complaint number, FS-473844, referenced in the City's own inspection record. On November 13, 2025, Petitioner clarified that records associated with FS-473844 were within the scope of the existing October 29 request and were not a new request. See Exhibit B.

50. In later answers to the Attorney General, the City Secretary represented that the City did "not have record of that complaint" as to FS-473844. The City's own October 28, 2025 HSCloud / Inspection Manager record contradicts that representation: generated within the City's own "My Health Department" interface, it identifies Complaint Number FS-473844 at 2311 S. Jefferson Avenue (the Walmart Store #131 address), a Food Service Complaint type, a last inspection date of October 28, 2025, and assignment to a named City inspector. See Exhibit B and Exhibit K.

51. The City's possession of responsive records is further corroborated by records the Texas Department of State Health Services preserved and produced — including the City's own custodians and City email addresses in the October 28, 2025 Walmart Store #131 request sequence — for which the City produced no corresponding City-side records. The October 28 visit was described by the City as a joint inspection requested by DSHS; the existence of DSHS-produced City communications shows that City-side responsive records exist and were not

produced. The City did not produce additional City records responsive to the FS-473844 clarification, did not seek an Attorney General ruling, and did not provide a legally sufficient written response identifying whether responsive City records existed. Petitioner filed a formal complaint with the OAG on December 13, 2025. See Exhibit B and Exhibit K.

COUNT III
OR-25-059503-IC — Chief Buhman Temporary-Custodian Records

52. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

53. On December 4, 2025, Petitioner submitted a TPIA request for call and voicemail log records held by MPPD Chief Mark Buhman as a temporary custodian in connection with Case No. 25-17553. The request sought screenshots or native exports of call history and voicemail logs, including date/time, call direction, duration, and contact labels, with redaction of confidential phone numbers if necessary. See Exhibit C.

54. On December 17, 2025, rather than producing the actual phone logs, the City provided only a hand-typed, two-line narrative summary of two telephone calls. The City did not cite an exception, did not seek an Attorney General ruling, and did not produce screenshots, native call-history exports, carrier-generated call-detail records, or account-level records. Chief Buhman stated that he was not providing a screenshot because it would include phone numbers — but Petitioner's request had already authorized redaction of personal numbers, removing the only stated obstacle. See Exhibit C and Exhibit K.

55. A hand-typed summary is not the public information requested. The City's own officials understood the actual records to be obtainable: at the February 18, 2026 meeting, Mayor Lyon stated that Chief Buhman "should be able to do his call logs" and suggested obtaining the carrier call-detail log and redacting personal numbers. The City's production of a hand-typed timestamp list rather than the underlying call and voicemail records confirms the data was accessible in a producible form. The records concern official police business, and under Texas

Government Code § 552.233 the City's officer for public information may require a temporary custodian to surrender or return public information held on a privately owned device. See Exhibit C and Exhibit K.

56. The City's later answers to the Attorney General confirm the defect: asked whether the City had transcribed the call-log data instead of producing the actual records, the City Secretary answered that the matter involved Chief Buhman's personal cell phone and that "no he did not get screenshots," confirming that the City produced a transcription rather than the requested records and contradicting the representation, reflected in footnote 3, that screenshots of the call logs had been provided. The City's production in another matter of the same record type in native format further shows that print-to-scan and typed-summary substitutes were a choice, not a limitation. Petitioner filed a formal complaint with the OAG on December 20, 2025. See Exhibit C and Exhibit K.

COUNT IV
OR-26-004942-IC — January 13, 2026 Inspection Records

57. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

58. On January 13, 2026, after the City's posted business hours, Petitioner submitted a TPIA request for all records relating to a City official's visit to Walmart Store #131 that date, in six defined categories — inspection and compliance records, external and internal communications, personnel and assignment records, complaint records, and related regulatory records. The request is treated as received on January 14, 2026. See Exhibit D.

59. On January 21, 2026, the City produced only three inspection-report forms and twice declared the request "closed," stating the forms were "all the information the City had," without addressing the remaining five categories. See Exhibit D.

60. The production answered only one of the six categories. The City's own Code Enforcement SOP Manual — produced to Petitioner in a prior response — requires that each food-establishment inspection generate an HSGov case file and that photographs, body-camera video, and audio be documented in that case, and that

inspections be assigned and scheduled. The City's written procedures identify those systems and media categories as repositories that should have been searched and accounted for; none were produced and none was certified not to exist. The three forms the City did produce carry blank "Observations" and blank temperature fields and each contains a Walmart corporate email address, affirmative evidence within the City's own production that the external-communication channel the request targeted exists. See Exhibit D and Exhibit K.

61. The City did not seek an Attorney General ruling, did not certify a date and hour for any remaining production, and did not provide a written no-records notice sufficiently specific to identify which category it claimed had no responsive information. The City Secretary later admitted to the Attorney General that she did not respond to each item with a no-responsive-records determination. Petitioner filed a formal complaint with the OAG on February 2, 2026. See Exhibit D and Exhibit K.

COUNT V
OR-26-006368-IC — Keyword Search: Moring / OSHA Records

62. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

63. On December 30, 2025, Petitioner submitted a TPIA request for a keyword search across City systems for terms including "Kyle Moring," "Moring," "Kyle Morning," "Mr. Moring," "Mr. Morning," [redacted]" "whistleblower," and "OSHA," for the period January 1, 2024 through December 29, 2025. The City issued a cost estimate on January 14, 2026, which Petitioner accepted and paid. On February 2, 2026, the City provided a partial production but closed the request without confirming the scope of its search, the custodians searched, the electronic systems or archives queried, or the search methodology used. See Exhibit E.

64. The production was incomplete on the City's own documents: 91 emails are missing from the City's OneDrive production for this request, and a cross-check against the City's separate production for the November 13, 2025 request confirms that the City possessed those records and was able to print them, yet omitted them

here. The City's "native format" and "print-to-scan / cannot export" representations are contradicted by its March 10, 2026 description of its Microsoft Purview export capability and by its native .msg production of this very December 30, 2025 request. See Exhibit E and Exhibit K.

65. The City attributed large search volumes in part to Petitioner's inclusion of "Morning" variants; Petitioner included those variants because City employees, including the City Secretary, repeatedly misspelled his name as "Morning" in City correspondence. The City also has not stated whether the CRIMES records management system or its Axon Evidence.com tenant — repositories reasonably likely to contain records involving Petitioner — were searched. The City did not certify a date and hour for completion, did not provide a reliable completion position, and did not provide a timely written no-records notice under § 552.221(f). Petitioner filed a formal complaint with the OAG on February 9, 2026. See Exhibit E.

COUNT VI
OR-26-006369-IC — Keyword Search: Walmart Records

66. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

67. On December 30, 2025, Petitioner submitted a TPIA request for Walmart-related email communications and keyword searches for the period January 1, 2024 through December 29, 2025. The City issued a cost estimate on January 14, 2026, which Petitioner accepted and paid. On February 2, 2026, the City provided a partial production of nineteen records and closed the request. See Exhibit F.

68. After reviewing records the City later produced in other requests, Petitioner identified twenty-three further responsive records — each produced by the City itself between February 9 and March 10, 2026 — that were responsive to the December 30 request as originally written: each is dated within the request's stated range of January 1, 2024 through December 29, 2025, and each matches a search term the original request itself specified ("Walmart Store #131," "Walmart #131," "Wal-Mart," the bare word "Walmart," or the @walmart.com domain). A production

of nineteen records that omitted twenty-three responsive records the City itself later produced is not the production of all responsive information. See Exhibit F and Exhibit K.

69. On February 25, 2026, the City acknowledged that it had previously provided incorrect information, produced an email it represented had been sent on October 23, 2025, and then stated the request would be considered closed. Petitioner responded the same day identifying still-unproduced records, including the October 23 link-transmittal email, any forwards or distribution emails, link-property and sharing records, and folder-provenance information. The City later told the Attorney General that the additional records were produced because Petitioner's second request asked about "Spark"; that explanation does not account for records dated within the original range and matching terms already in the original request. See Exhibit F and Exhibit K.

70. The City's repository-search scope is also in question. The City's own September 2024 monthly Code, Building, Planning & Zoning report and its "Permits issued 2023–2024" spreadsheet (produced October 22, 2025) confirm that Certificate of Occupancy Permit 24-0581 was issued to Walmart at 2311 S. Jefferson on September 10, 2024, yet the underlying permit record has never been produced in any form and is absent from the store-specific permit history the City produced on June 27, 2025. Petitioner offers Permit 24-0581 as evidence that the City's Walmart-related repository searches may have been incomplete, not as a freestanding omission claim. The June 25, 2025 building-permit request is the request most directly directed to that permit; Petitioner does not add that request as an independent count and relies on Permit 24-0581 only as search-scope and pattern evidence bearing on the completeness of the City's search for records responsive to this request. The unreliability of the City's completeness representations as to Walmart permitting records is further illustrated by the City Secretary's December 3, 2025 certification under Texas Government Code § 552.232(b) — covering the related Walmart Store #131 roofing-permit and remodel

requests (Permits ROOF-35226 and ROOF-33173) — that "copies of all requested information were previously furnished" and that "no subsequent additions, deletions, or corrections have been made," notwithstanding the omission of the Certificate of Occupancy Permit 24-0581 and related permitting records. See Exhibit K-16. The City did not certify a date and hour for completion, did not disclose a reliable final search scope, and did not provide a timely written no-records notice. Petitioner filed a formal complaint with the OAG on February 9, 2026. See Exhibit F.

COUNT VII
OR-26-013327-IC — DTRG City Attorney Correspondence

71. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

72. On February 14, 2026, a Saturday, Petitioner submitted a TPIA request for communications involving the City's outside counsel, Davidson Troilo Ream & Garza, P.C., concerning Petitioner and Walmart for the period June 1, 2025 to the date of search. Because the request was submitted on a Saturday and the following Monday was a City-observed Presidents' Day holiday, the request is treated as received on February 17, 2026. See Exhibit G.

73. On February 26 and March 6, 2026, the City sent non-substantive status responses but produced no responsive records, did not identify any Attorney General ruling request, did not provide a date and hour for production, and did not provide a written explanation for the delay. Petitioner sent follow-up communications on March 22, March 27, April 7, and April 13, 2026. See Exhibit G.

74. On May 13, 2026, the City's outside counsel told the Attorney General that the DTRG request had yielded more than 3,000 pages of responsive information, that approximately one percent consisted of attorney-client privileged communications, that he had "completed identifying and separating" the privileged materials, and that the § 552.107 ruling request "will be submitted this evening," with the non-privileged remainder to be released. As of the date of this filing — more than one month later — no ruling request was submitted, no Open Records

Division tracking number was provided, no production followed, and the City has neither released the non-privileged remainder nor requested an Attorney General decision on the February 14, 2026 request. The City plainly knew the correct procedure, having obtained § 552.107 rulings in OR2025-044402, OR2026-005380, and OR2026-009006. See Exhibit G and Exhibit K.

75. Petitioner acknowledges that genuinely privileged attorney-client communications may be withheld on a proper showing made through the ruling process, and does not contend that the City's failure to make a timely ruling request, by itself, waives the privilege. The request also includes categories that are not necessarily privileged — third-party communications forwarded to or from DTRG, non-privileged attachments and enclosures, communications including non-privileged third parties, and nonprivileged portions of attorney-fee bills, which are subject to Texas Government Code § 552.022(a)(16) and may not be withheld solely under § 552.107. To the extent Respondent withheld responsive information without a timely Attorney General ruling, the information is presumed public under Texas Government Code § 552.302. Petitioner filed a formal complaint with the OAG on March 16, 2026. See Exhibit G.

COUNT VIII
OR-26-014482-IC — MPFD Follow-Up Fire Inspection Records

76. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

77. On February 13, 2026, after business hours and on a Friday, Petitioner submitted a TPIA request, in nine defined categories, for Mount Pleasant Fire Department follow-up fire-inspection records for Walmart Store #131 from January 9, 2026. Because the following Monday was a City-observed Presidents' Day holiday, the request is treated as received on February 17, 2026. See Exhibit H.

78. Internal City correspondence reflects that on January 7, 2026 the City Secretary advised staff that counsel had said the City did not have to respond to Petitioner's oversight email but should treat it like a complaint and conduct a follow-up inspection; on January 9, 2026, Deputy Chief Aristeo Rodriguez reported

that a follow-up inspection had been conducted and that all fire violations had been corrected. On March 3, 2026, the City produced partial records and closed the request the same day. See Exhibit H.

79. The City's own produced "Inspection - Summary" form records, on its final page, that the Walmart representative's signature was captured as an "E-Mail on 01/09/2026 15:02" — one minute after the inspector's 15:01 signature — yet the City neither produced that email nor certified that it does not exist. The production is also silent on roughly half of the nine enumerated categories — field notes, photographs, notices to Walmart, scheduling communications, and the case-management record — with no certification of non-existence. Deputy Chief Rodriguez's February 26, 2026 email states that MPFD inspections are not logged in NFIRS/NERIS and that inspection reports "were saved in our previous inspection software, Emergency Reporting," raising whether that legacy system and HSCloud were searched. The City did not certify a date and hour for production, did not seek an Attorney General ruling, and did not provide a written no-records notice for the missing record. Petitioner filed a formal complaint with the OAG on March 23, 2026. See Exhibit H and Exhibit K.

COUNT IX
OR-26-014805-IC — Regulatory Agency Correspondence

80. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

81. On February 8, 2026, a Sunday, Petitioner submitted a TPIA request for all regulatory-agency correspondence involving the City from May 1, 2025 to the date of the City's search, encompassing correspondence between the City and federal or state regulatory, enforcement, or investigative agencies including EPA, OSHA, DOL, USDA, FDA, TCEQ, DSHS, TDA, OAG, DPS, Texas Rangers, and related offices. Because the request was submitted on a Sunday, it is treated as received on February 9, 2026. On February 23, 2026, the City issued a cost estimate, which Petitioner accepted and paid or posted. See Exhibit I.

82. The City made rolling-production notices on March 27, April 21, and May 21, 2026, but never provided a final completion certification, a disclosed search methodology, a category-by-category accounting, or a no-records position. Petitioner's analysis of every file in the City's productions establishes that the production is both overbroad in the wrong direction and frozen short of the period requested: 483 of 890 produced emails (54.3%) contain no agency email address and were swept in solely by a keyword; a syntax defect in the City's disclosed Microsoft Purview query silently converted an intended subject-line search into a full-text search and collected 448 emails on that basis; of the 376 emails that do have an agency participant, 325 are automated Texas DPS law-enforcement system traffic; and the City's disclosed query used a date filter ending February 9, 2026 although the request sought records through the date of the City's search and the City continued producing into May 2026. See Exhibit I and Exhibit K.

83. That the productions were assembled by exporting search hits rather than reviewing them is corroborated by the City's release, within the same productions, of an unredacted email exposing approximately 12,000 water-utility customer records and 106 emails bearing an express "Law Enforcement Sensitive" handling caveat — material a genuine document-by-document review would not have released. The May 21 production also included apparently nonresponsive Schneider/PC23P0040 materials, which Petitioner did not request; a file identified as video.msg constituting outgoing City-to-TCEQ correspondence from MPPD Senior Dispatcher Amber James (squarely responsive and exemplifying the missing outgoing agency correspondence); and an Exchange non-delivery wrapper enclosing an unredacted MPPD report packet for Incident No. 2500015902, the inadvertent release of which the City's outside counsel acknowledged in writing on May 28, 2026 under Texas Government Code § 552.352. See Exhibit I.

84. After Petitioner identified the nonresponsive Schneider materials, at least some became unavailable in the City's OneDrive production location, and the SharePoint link through which the City produced this correspondence remains

inaccessible as of the date of this filing, returning "This link has been removed" and "Sorry, access to this document has been removed." The City's production is therefore not merely incomplete; the materials the City represented it produced are no longer accessible to Petitioner, and the City has neither restored access nor explained the removal. These removals and losses of access occurred after Petitioner had served written preservation and litigation-hold notices on the City — on November 3, 2025 and June 1, 2026 — covering the records and electronically stored information at issue. See Exhibit Q. The City has not provided a clear final completion position, a category-by-category accounting, or resolution of the missing outgoing-agency-correspondence and search-completeness issues. Petitioner filed a formal complaint with the OAG on March 24, 2026. See Exhibit I.

COUNT X
OR-26-027775-IC — John Ankrum Cell-Phone Call-Log Records

85. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

86. On May 13, 2026, Petitioner submitted a TPIA request to the City for records held by or associated with John Ankrum, the City's Building Official, seeking all existing call-log and related cell-phone records — including call-detail records, itemized phone records, phone bills, carrier usage records, call-history exports, screenshots, and internal records — for the period June 1, 2025 through the date of receipt, limited to calls involving Walmart, OSHA, DSHS, TCEQ, TDLR, or other regulatory agencies contacted about Walmart-related official business. The request identified a specific responsive number, +1 [redacted] and documented a July 18, 2025 incoming call displayed as "John Ankrum," and asked the City to treat Mr. Ankrum as a temporary custodian of any responsive public information held on a personal device or cellular account. See Exhibit L.

87. On May 15, 2026, the City responded, "Here is all the information we have related to this request," stated that the request was closed, and produced only phone-screen screenshots of a single contact displayed as "Devin Wallace - wal…," rather than carrier-generated call-detail records, itemized phone records, account-

level records, native call-history exports, text messages, or message exports, and without identifying the underlying phone number, cellular account, carrier, or device source. Petitioner disputed the completeness of that production the same day. See Exhibit L.

88. The Texas Attorney General has long recognized that official-business information does not fall outside the Act merely because it is held by an individual official on a privately owned medium. See Open Records Decision Nos. 635 (1995) and 425 (1985); Open Records Letter No. OR2019-14232 (2019); Fort Bend Independent School District v. Paxton, No. 03-22-00052-CV, 2023 WL 4495224 (Tex. App.—Austin July 13, 2023, pet. denied). The defect is that the City closed a temporary-custodian request after producing only limited phone-screen images, without producing or accounting for the other source records requested, without identifying which sources were searched, and without citing any exception or seeking an Attorney General decision. Any responsive public information withheld without a timely Attorney General ruling is presumed public under Texas Government Code § 552.302. Petitioner filed a formal complaint with the OAG on May 27, 2026, assigned OAG File No. OR-26-027775-IC. See Exhibit L.

COUNT XI
OR-26-000002-IC — MPPD Call Detail Records (PBX Telephone Lines)

89. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

90. Petitioner's December 4, 2025 request, as clarified and followed up on December 18, 2025, sought call-detail / PBX records for City-managed Mount Pleasant Police Department lines responsive to the listed external numbers and timeframe, and Petitioner expressly asked the City to include all City-managed MPPD lines or to identify which lines and extensions were searched. See Exhibit M.

91. The City charged for staff time "working with the provider to get information on all lines requested," produced records for only six numbers, and closed the request on December 29, 2025. The City's own later telephone-directory and master-call-log records show additional MPPD lines reasonably within the scope of the

request and follow-up — including the Chief of Police's line, the department's main line, and the Criminal Investigations Division line — for which the City did not produce or account for responsive call-detail records. See Exhibit M.

92. The City thus refused to supply identifiable existing public information responsive to the request as clarified, did not cite any exception, did not seek an Attorney General ruling, and did not provide a legally sufficient written no-records notice for the omitted lines. Petitioner's complaint concerning this request was reviewed by the OAG under File No. L260017200 and assigned OAG File No. OR-26-000002-IC. See Exhibit M.

COUNT XII

OR-25-034390-IC — Walmart Store #131 Code-Compliance Records

93. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

94. On July 18, 2025, Petitioner submitted, and on July 30, 2025 confirmed in writing, a TPIA request for code-compliance records concerning Walmart Store #131, including records relating to the July 28, 2025 compliance deadline and whether a follow-up inspection was performed. On October 22, 2025, the City certified that all responsive records had been released. See Exhibit O.

95. That certification was not accurate. City notice FS-473357 — a follow-up food-establishment inspection conducted July 28, 2025 by a City health inspector — exists and is responsive. On August 1, 2025, the City's own Building Official forwarded that record to the City Secretary in an email expressly captioned as this TPIA request, as one of four inspection-record attachments. The City produced three of those four attachments to Petitioner and withheld only the July 28 follow-up food inspection. The City created the record, its own Building Official routed it to the certifying officer in response to this exact request, and the City produced every other attachment from the same email — yet the October 22, 2025 certification of completeness omitted it. See Exhibit O.

96. The same analysis identifies further omissions from the City's own systems: complaints concerning the store submitted through the City's public complaint

portal on July 25 and 26, 2025 — within the period the request covered, and contradicting the City Secretary's August 4, 2025 written statement that there had been no complaints made against the store — and a July 31, 2025 grease-trap inspection the City held but produced only later in response to a separate request. FS-473357 declared the store compliant on July 28, 2025 — the same day DSHS inspected the same store, documented observations including roof-construction debris on food and consumer goods, and substantiated the complaint. A signed certification of completeness cannot be reconciled with the City's own internal email transmitting a responsive record to the certifying officer. The City did not seek an Attorney General ruling to withhold the omitted records. Petitioner's complaint concerning this request was reviewed by the OAG under File No. L260017200 and assigned OAG File No. OR-25-034390-IC. Petitioner seeks production of FS-473357 and any other responsive code-compliance, complaint, inspection, grease-trap, and follow-up records within the scope of the July 18 and July 30, 2025 request, or, in the alternative, a verified declaration identifying the records produced, withheld, not found, or claimed to be outside the City's possession, custody, or control. See Exhibit O and Exhibit K.

COUNT XIII
OR-25-057987-IC — Ordinance 2025-24 Records

97. Petitioner incorporates the foregoing paragraphs as if fully set forth herein.

98. On November 25, 2025, Petitioner submitted a TPIA request for all records related to Ordinance 2025-24 — a proposed ordinance concerning public-information requests — in four defined categories: the ordinance text and any prior drafts, staff memoranda prepared for Council, internal communications discussing TPIA limits between September 1 and November 25, 2025, and any policies or tracking logs for implementing Government Code § 552.275. See Exhibit P.

99. The City produced a single document — the four-page ordinance text — and closed the request on November 26, 2025, one day after receiving it. The City's November 25 response was self-contradictory on its face: in the same message

stating it had "no responsive records," the City said it "will seek the AG's opinion on emails with the attorney," records that, if they exist to be submitted for a ruling, are responsive. The single file the City produced is labeled "v2," which at minimum reasonably indicates the need to search for and account for prior drafts or document-management version-history records. See Exhibit P.

100. The City produced no prior draft, no Agenda Item Report for the December 2 Council meeting, and no internal communications — even though the City Attorney's November 25, 2025 email recommending the ordinance falls squarely within the September 1–November 25, 2025 window the request defined for internal communications. The City Secretary also circulated an internal Ordinance 2025-24 email to the Mayor and Council on November 26, 2025, approximately fourteen minutes before declaring the request closed; although that November 26 email post-dates the internal-communications window in category three, it is responsive as a staff memorandum or explanatory record under the request's other categories and is direct evidence that responsive records existed and were being created as the City closed the request. Those communications surfaced only months later, in a separate February 2026 production, and even then incompletely. A request closed in one day, after a single document, with responsive internal communications created that same day left unproduced, is not one for which all responsive information was produced. To the extent the City contends any responsive communication is privileged, the Act's answer is to identify the record and seek a ruling; the City sought none, and any responsive information withheld without a timely Attorney General ruling is presumed public under Texas Government Code § 552.302. Petitioner does not contend that untimeliness alone waives a genuine attorney-client privilege and does not seek disclosure of information made confidential by law; Petitioner seeks production of nonprivileged responsive records, segregable nonprivileged portions, and a record-specific accounting of any information withheld. Petitioner's complaint concerning this request was reviewed by the OAG under File No. L260017200 and assigned OAG File No. OR-25-057987-IC. See Exhibit P and Exhibit K.

VII. SUPPLEMENTAL PATTERN EVIDENCE

101. Petitioner does not plead the following pattern evidence as independent causes of action unless tied to a count above. Petitioner pleads it to show why ordinary informal follow-up and the administrative complaint processes have not resolved the disputes, and why verified search and accounting relief is necessary.

102. The City's conduct, both before and after the requests pleaded above, continued the same pattern of partial production, request closure, screenshot or summary substitution, no-records responses without meaningful search explanation, certifications contradicted by the City's own or third-party records, and unresolved temporary-custodian or source-record issues.

103. Contemporaneous knowledge of overcharge and incomplete-production objections. On September 26, 2025, while taking Petitioner's payment for a paper production, the City Secretary's office telephoned the City's Public Information Coordinator and relayed Petitioner's specific overcharge and deposit objections in real time; the answer relayed back was that "the attorney reviewed it and that's what it is." Petitioner paid under protest. The City's later statement to the Attorney General — that Petitioner "did not pay a $100 deposit … but did pay $59.80" and "was given all the documents that we had" — answered an allegation Petitioner never made and omitted the objections the City demonstrably received in writing and by telephone. The audio recording and transcript are preserved. See Exhibit L.

104. Certification contradicted by a third-party agency. The supervisor-of-record form for pretreatment operator Juan Ramirez, expressly requested and completed and signed by City Building Official John Ankrum on January 17, 2025, was never produced by the City and reached Petitioner only through TDLR's October 29, 2025 production, despite the City Secretary's September 29, 2025 certification under Texas Government Code § 552.232(b) of complete prior production. See Exhibit L.

105. Continuing conduct after the determination. Within two weeks of the May 22, 2026 determination, the same officials demanded a Texas Government Code § 552.263 bond on a $72.00 estimate under an "exceed $40.00" rationale (the May 27,

2026 estimate, five days after the determination), and on June 2, 2026 — eleven days after the determination — the City denied Petitioner's in-person records inspection. The June 2, 2026 inspection denial was recorded; the audio and transcript are preserved. These items are offered as pattern evidence of continuing non-compliance and unreliable representations, not as a request that this Court decide any cost complaint. See Exhibit L.

106. Continuing non-responsive production, format degradation, and fee and personnel-time barriers. The City's June 2026 handling of Petitioner's June 1, 2026 City-managed telephone CDR-update request continued the same pattern through the filing of this amended petition. Although the request sought call-detail records from the point the prior production stopped (March 3, 2026) forward, in a structured export format, and expressly asked the City not to "convert structured data into PDF if the records are maintained or exportable in spreadsheet, CSV, database, or native export format," the City: (a) produced only a single day of March 3, 2026 data and directed Petitioner to submit a new, separately charged request for the remainder; (b) stated it "will not process or supplement the request unless [he] agree[s] to pay," the prior fee waiver being "a courtesy [that] will not be extended"; (c) after Petitioner paid the additional fee under protest, produced a March 3-only data set and then a file titled "Call Detail Records March 3rd to June 1st 2026" that ended on June 1 — the scope of the original June 1 request — rather than the March 4-forward-through-export-date records Petitioner had separately been charged and paid for and that the City had told him required a new, separate request; and (d) produced the records as a multi-thousand-page PDF rather than the structured spreadsheet/CSV/native export the request specified and the City's own prior production used, a format that impairs sorting, filtering, and verification. The SharePoint link through which the City delivered the production for the June 1 (first) request also returned "This link has been removed" and "Sorry, access to this document has been removed" on June 15, 2026 and again on June 17, 2026 — the same access-removal conduct alleged in Count IX. On June 15, 2026, invoking Texas Government Code § 552.275(d), the City stated it had "established a limit of

36 hours of personnel time per fiscal [year] for a requestor" and that Petitioner had reached 28.5 hours. As of June 17, 2026, the March 4-forward records had not been produced in the requested form. These records are offered as pattern evidence of the City's continuing non-responsive and non-native production practices and its use of cost and personnel-time barriers — bearing on the production-format and completeness issues raised in Counts V, VI, and IX and on the need for the verified production, search, and accounting relief Petitioner seeks under Texas Government Code §§ 552.228 and 552.321 — and not as a request that this Court decide any cost complaint or any matter under § 552.275; they also bear on the Ordinance 2025-24 / § 552.275 records pleaded in Count XIII. Petitioner has filed complaints with the Office of the Attorney General concerning the June 1, 2026 request — OAG File Nos. OR-26-031653-IC (information) and OR-26-031652-CC (cost), with an OAG-listed submission date of June 13, 2026 (confirmed by OAG emails transmitted June 12, 2026) — which Petitioner pursues in their proper administrative venues and references here only for context and exhaustion. See Exhibit L-7.

107. Post-ruling nonrelease of the Rodriguez fire-safety records. On February 9, 2026, Petitioner requested Deputy Fire Chief Aristeo Rodriguez's Walmart-related emails and the plans they referenced. The City sought an Open Records Division ruling under Texas Government Code § 552.101; the Division issued ruling OR2026-018153, sustaining the exception only as to marked critical-infrastructure vulnerability details and directing that the City "must release the remaining information" and "may not withhold the previously released information." The City did not provide Petitioner the ruling — Petitioner obtained it only through his own public-information request to the Office of the Attorney General (June 1–3, 2026) — and on June 4, 2026 Petitioner requested immediate production of the information the ruling requires released. Texas Government Code § 552.306 directs a governmental body to make information that the Attorney General has determined is public available as soon as practicable, and creates a presumption of compliance when the body does so by the tenth business day after the ruling. Petitioner offers these facts as supplemental pattern evidence of the City's production and reliability

practices and of the need for verified production and declaration relief, and does not plead post-ruling noncompliance as an independent count at this time, without waiving the right to seek further relief if noncompliance continues. See Exhibit N.

108. On April 9, 2026, Petitioner submitted a TPIA request concerning the City's pretreatment program, industrial-user controls, Pilgrim's Pride-related records, Juan Ramirez records, and TCEQ compliance history. On April 13, 2026, less than two business days later and without describing any search, the City attached only a copy of Ordinance 2025-3 and marked nearly every remaining category "NO CITY RECORDS EXIST," and for certain Juan Ramirez items stated only that the information "WAS PROVIDED ON 09-15-2025" — a date on which Mr. Ramirez was still employed and on which separation records could not have existed. The City closed the request the same day without seeking an Attorney General ruling. See Exhibit L.

109. The City's handling of a May 14, 2026 request regarding its OpenGov / "New Financial Transparency" website further illustrates its no-records practice: on May 27, 2026 the City Secretary certified under penalty of perjury that the City found no responsive records for Items 1 through 25 and identified only Petitioner's own communication, even though City Manager Robert G. Vine had already sent a City-authored acknowledgment from his City email account stating that the City would "investigate" and "work with our partners." Petitioner filed an informal Open Records Division complaint regarding that certification, assigned OAG Ref. OR-26-028637-IC. See Exhibit L.

110. The City's May 13, 2026 updated cost estimate for a separate April 24, 2026 request reflects the same pattern: after Petitioner repeatedly clarified that he did not request paper copies, the City removed a $100.00 paper-copy charge but increased personnel time from four to seven hours without explanation, keeping the estimate above $100.00 and continuing to support a bond demand. This is included only as supplemental pattern evidence. See Exhibit L.

111. Internal City directives and routing correspondence corroborate the pattern, including a Webster staff directive on the June 2025 roofing-permit request; a City Manager instruction to Council on October 17, 2025 to forward and not engage; internal escalation and routing threads in November 2025; Webster's accidental forward to Petitioner ("Austin, will you please respond to him?"); a Finance Director internal scope email; and a Webster–Ream Ordinance 2025-24 internal thread ("do not reply to Mr. Moring"). See Exhibits J and L.

VIII. PATTERN OF NON-COMPLIANCE

112. Across the thirteen requests pleaded in Counts I through XIII, and as reflected in the supplemental pattern evidence, the City has engaged in a continuing pattern of conduct that violates or frustrates the TPIA, including:

(a) producing partial records and then closing requests without full compliance;

(b) failing to timely seek Attorney General rulings before withholding responsive records;

(c) substituting hand-typed summaries, screenshots, or non-native files for original responsive source records;

(d) prematurely closing requests without addressing all categories of requested information;

(e) failing to provide complete substantive responses to follow-up inquiries regarding outstanding production, withheld categories, claimed no-records positions, completion dates, production format, source records, temporary-custodian records, and remaining responsive records;

(f) accepting payment or requiring cost or bond compliance while failing to complete production;

(g) failing to set or communicate definitive production timelines, and failing to certify a date and hour for production when records could not be produced within ten business days;

(h) as to requests received on or after September 1, 2025, failing to provide timely written no-records notices under § 552.221(f) when asserting that no responsive information exists for categories of a request;

(i) relying on rolling-production language without providing a final production position or category-by-category accounting;

(j) producing large volumes of apparently nonresponsive or duplicative material while responsive source records, outgoing agency correspondence, native exports, or temporary-custodian records remain unresolved;

(k) providing no-records certifications and § 552.232(b) certifications that are contradicted by known City-authored records, by the City's own later productions, or by third-party agency productions;

(l) asserting withholding rationales contradicted by records the City had already produced and, after an Open Records Division ruling directed release of unmarked information, failing as of June 20, 2026 to notify Petitioner of the ruling or provide a compliance status;

(m) failing to identify whether relevant repositories, including the CRIMES records management system and the City's Axon Evidence.com tenant, were searched, and failing to account for records maintained in those repositories; and

(n) relying on internal routing through counsel or staff to close, delay, or narrow requests while responsive records later appeared in other productions.

113. This pattern is not limited to isolated oversights. Petitioner filed formal complaints with the OAG for the requests pleaded in Counts I through IX and Counts XI through XIII, reviewed under OAG File No. L260017200, and a separate complaint for Count X (OR-26-027775-IC). Petitioner also continues to submit additional complaints to the Office of the Attorney General regarding the City's recurring Texas Public Information Act production practices — including incomplete or non-responsive productions, non-native or metadata-stripped production formats, inadequate or undisclosed search methodology, and no-records or completeness certifications contradicted by the City's own records — as new

instances arise. The OAG declined enforcement under § 552.3215 as to the L260017200 complaints, but that determination did not compel production, did not resolve the disputed City representations, and did not provide judicial relief. Petitioner has made repeated good-faith efforts to resolve these disputes without court intervention; the City has not cured the outstanding issues. Petitioner therefore seeks mandamus relief under Texas Government Code § 552.321.

IX. PRAYER FOR RELIEF

114. Petitioner respectfully requests that this Court:

(a) Issue a writ of mandamus compelling Respondent City of Mount Pleasant to produce all responsive public information not excepted from disclosure for each of the thirteen outstanding requests identified in Counts I through XIII, including information presumed public under Texas Government Code § 552.302;

(b) Order Respondent to complete production of all such public information within a date certain set by this Court;

(c) Order Respondent, to the extent it contends production is ongoing, to provide a date-certain schedule for remaining rolling production and to identify the categories of responsive information still under review;

(d) In the alternative, if Respondent contends that responsive records have been fully produced, do not exist, are not in Respondent's possession, custody, or control, or are excepted from disclosure, order Respondent to file a verified declaration identifying, for each request: the categories of responsive information produced; the format in which each category was produced (native electronic records, screenshots, scanned images, print-to-PDF files, hand-typed summaries, or source-system exports); the categories withheld; any Attorney General ruling request or prior determination relied upon; any categories for which Respondent contends no responsive information exists; the custodians, temporary custodians, systems, archives, devices, phone systems, email systems, shared drives, OneDrive/SharePoint folders, physical files, search terms or queries used, and date ranges applied; whether any

responsive records were removed, disabled, recalled, replaced, or made inaccessible from any production folder after release; and whether any responsive records remain under review;

(e) Order Respondent to conduct, or verify under oath that it has conducted, a supplemental, good-faith search reasonably calculated to locate all records responsive to Counts I through XIII, including, as applicable to each request and to repositories reasonably likely to contain responsive information, (i) a search of all Microsoft 365 repositories reasonably likely to contain responsive records, using Microsoft Purview eDiscovery / Content Search and Microsoft Purview audit-search tools or any substantially equivalent Microsoft 365 compliance-search tool available to Respondent, including Exchange Online, archived and shared mailboxes, Microsoft Teams, OneDrive, SharePoint, and Microsoft 365 Groups; and (ii) for the law-enforcement-related counts, a search of the Mount Pleasant Police Department's CRIMES records management system and the City's Axon Evidence.com tenant (mountpleasantpdtx.evidence.com), each of which has documented search, export, audit-trail, and case-association capability;

(f) Order Respondent to file a verified declaration, signed under penalty of perjury by the officer for public information or a qualified information-technology custodian, identifying for each request and for each repository searched: the custodians searched; the repositories searched, including Microsoft 365, CRIMES, and Axon Evidence.com; the date ranges applied; the search terms or KQL / KeyQL queries used; whether Microsoft Purview / eDiscovery or an equivalent tool was used; the hit counts returned; the export format selected; whether attachments and embedded files were included; whether any records were exported as .pst, .msg, .eml, native files, screenshots, PDFs, scans, or summaries; and whether any responsive records were withheld, determined not to exist, or remain under review; the verified-declaration and supplemental-search orders requested in this prayer are sought as judicial relief necessary to resolve the mandamus claim under

Texas Government Code § 552.321, and not as a new or independent Public Information Act production category;

(g) As to Count IX, order Respondent to conduct a supplemental Microsoft 365 search using a participant-based agency-domain search, or an equivalent search reasonably calculated to capture bilateral correspondence between the City and the agencies identified in the request, including outgoing City correspondence, and to identify separately in the verified declaration the results of participant-based searches, keyword-only searches, duplicate filtering, and any manual exclusions or responsiveness review, and to restore access to or re-produce the records previously delivered through the now-inaccessible SharePoint link;

(h) As to Counts V and VI, order Respondent to rerun or verify the keyword searches using the original date ranges, all reasonably implicated custodians, and all City-controlled Microsoft 365 repositories likely to contain responsive records, including archived and shared mailboxes;

(i) To the extent responsive emails, messages, attachments, or electronic files are located, order Respondent to produce them in the electronic form in which they are maintained or in another electronic form that preserves reasonably available metadata, consistent with Texas Government Code § 552.228, unless Respondent demonstrates that native or metadata-preserving production is not reasonably available;

(j) Order Respondent to produce to Petitioner existing audit logs, access logs, and activity records — which are public information maintained by or for the City — only to the extent those records were expressly requested, are otherwise responsive to a request pleaded in Counts I through XIII, or document access to, removal of, replacement of, or disabling of a specific production or production link placed at issue in this petition; to produce such logs in electronic form consistent with Texas Government Code § 552.228; and, for any specific log not produced, to state under oath whether the log exists, whether it was retained or purged, the applicable retention period, and, to the extent ascertainable from other existing records, to identify the

persons and dates associated with the access, modification, export, recall, removal, or disabling event;

(k) Award Petitioner statutory costs of litigation and costs of court under Texas Government Code § 552.323(a); and

(l) Grant all other relief to which Petitioner is justly entitled.

F-5 Petitioner Follow-Up
F-6 OAG Complaint Confirmation
F-7 Later-Produced Shared-Link Records and Completeness
F-8 City Response
F-9 Petitioner Follow-Up

Exhibit G: OR-26-013327-IC — DTRG City Attorney Correspondence

G-1 TPIA Request
G-2 Petitioner Follow-Up
G-3 City Attorney (DTRG) Correspondence
G-4 Petitioner Follow-Up
G-5 OAG Complaint Confirmation
G-6 Petitioner Follow-Up

Exhibit H: OR-26-014482-IC — MPFD Follow-Up Fire Inspection

H-1 TPIA Request
H-2 Underlying Jan. 9 Follow-Up Inspection Origin
H-3 City Response
H-4 Petitioner Follow-Up
H-5 OAG Complaint Confirmation

Exhibit I: OR-26-014805-IC — Regulatory Agency Correspondence

I-1 TPIA Request
I-2 City Cost-Estimate Letter
I-3 Acceptance & Search-Methodology Follow-Ups
I-4 March 31 Completeness Analysis
I-5 City Rolling-Production / Status Response
I-6 Preservation Notice (Schneider/PC23P0040)
I-7 OneDrive Removal / Preservation Follow-Up
I-8 KeyQL / "Feb_9th_Search" Results Analysis
I-9 Additional Regulatory-Correspondence Records
I-10 James–TCEQ "video" Email Analysis
I-11 MPPD 25-15902 Inadvertent-Release Notice
I-12 City Counsel Beck Acknowledgment
I-13 SharePoint Production Link Inaccessible (updated through filing)

Exhibit J: Internal City Directives and Routing Correspondence

J-1 Webster Staff Directive re Roofing-Permit Request (June 2025)
J-2 Vine Instruction to Council — Forward, Do Not Engage (Oct. 17, 2025)
J-3 Nipp Internal Escalation re City Attorney (Nov. 12, 2025)
J-4 Webster / Beck / Nipp Routing Thread (Nov. 13, 2025)
J-5 Webster / Ream Council Routing Thread (Nov. 25–26, 2025)

Exhibit M: OR-26-000002-IC — MPPD Call Detail Records / PBX Lines (bookmarked by individual email)

M-1 Moring TPIA Request — MPPD Call Detail Records (Dec. 4, 2025)

M-2 Webster Tenth-Day Status Notice (Dec. 17, 2025)

M-3 Webster Response re December 5 Request (Dec. 18, 2025)

M-4 Webster Receipt and Production via SharePoint "Call Logs" Link (Dec. 18, 2025)

M-5 Webster Closure (Dec. 29, 2025)

M-6 Analysis of Produced vs. Omitted MPPD Lines (Enclosure 12)

Exhibit N: OR-26-009561-RR — Rodriguez Emails Post-Ruling — Supplemental Pattern Evidence / Section VII

N-1 TPIA Request (Feb. 9, 2026)

N-2 OAG Letter Ruling OR2026-018153 (ID# 26-009561), dated June 2, 2026 (ordering release of the remaining information)

N-3 PIA Decision Database entry (OR-26-009561-RR; Issued/Closed May 4, 2026; no published link) and Petitioner's June 1, 2026 OAG public-information request with the June 2–3, 2026 acknowledgment and production by which Petitioner obtained the ruling

N-4 June 4, 2026 Request for Immediate Production and Council Supplemental Notice (post-ruling production demand)

N-5 Supplemental Note — Production Gaps and the ORD Ruling

Exhibit O: OR-25-034390-IC — Walmart Code-Compliance Records (bookmarked by individual email)

O-1 July 18, 2025 Request — Roof-Work Inspection Records

O-2 July 30, 2025 TPIA Request — Code-Compliance Documentation

O-3 Aug. 1, 2025 City Building Official Transmittal and Reply (four attachments; three of four produced)

O-4 Oct. 22, 2025 Certification of Completeness and OAG Closure

O-5 Analysis — FS-473357 and Omitted Records (Enclosure 1)

Exhibit P: OR-25-057987-IC — Ordinance 2025-24 Records (bookmarked by individual email)

P-1 Moring TPIA Request — Ordinance 2025-24 (Nov. 25, 2025)

P-2 Webster "No Responsive Records / Will Seek AG's Opinion" Reply (Nov. 25, 2025)

P-3 Moring Whistleblower / TOMA Notice to Mayor and Council (Nov. 25, 2025)

P-4 Ream (DTRG) Internal "Do Not Reply to Mr. Moring" Forward to Council (Nov. 25, 2025)

P-5 Moring Follow-Up re Responsive Records and Time Limits (Nov. 26, 2025)

P-6 Webster Internal Email to Mayor and Council Attaching Ordinance (Nov. 26, 2025)

P-7 Rebuttal Memorandum (Enclosure 4)

Exhibit Q: Preservation and Litigation-Hold Notices

Q-1 Preservation Notice (November 3, 2025)

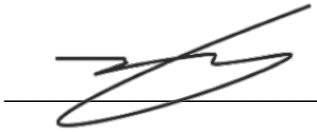
Q-2 Supplemental Preservation and Litigation-Hold Notice (June 1, 2026)

XI. UNSWORN DECLARATION UNDER PENALTY OF PERJURY

My name is Kyle Douglas Moring. My date of birth is [redacted] I am over the age of eighteen years and am fully competent to make this declaration. My address is [redacted] United States.

I declare under penalty of perjury that the factual statements contained in the foregoing Petitioner's First Amended Petition for Writ of Mandamus are within my personal knowledge and are true and correct.

Executed in Franklin County, State of Texas, on the 20th day of June, 2026.



Kyle Douglas Moring

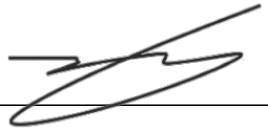
Petitioner, Pro Se

[redacted]

CERTIFICATE OF SERVICE

I certify that on June 20, 2026, true and correct copies of Petitioner's First Amended Petition for Writ of Mandamus, Petitioner's Reference Chronology (Chronology of Public-Information Requests, OAG Complaints, and Rulings at Issue), and Petitioner's Supplemental Exhibit Binder, Volume 3 of 3, were served on Respondent City of Mount Pleasant, Texas in accordance with Texas Rules of Civil Procedure 21 and 21a.

No attorney for Respondent is listed as an electronic-service contact in the electronic filing manager for this cause. Service was therefore made under Texas Rule of Civil Procedure 21a by electronic mail, on June 20, 2026, to Respondent's City Secretary and Records Management Officer, Candias Webster, at cwebster@mtpleasanttx.gov, and to Austin R. Beck, Davidson Troilo Ream & Garza, P.C., at abeck@dtrglaw.com.



Kyle Douglas Moring, Petitioner, Pro Se