Filed: 8/23/2026 4:53 PM
Carin Carroll
District Clerk
Titus County, Texas
Debbie Swindler

CAUSE NO. 44437

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

PETITIONER'S THIRD SUPPLEMENT TO PRETRIAL WITNESS AND EXHIBIT LISTS

Provided under Texas Rules of Civil Procedure 193.5 and 194.4 out of caution

Petitioner Kyle Douglas Moring, appearing pro se, further supplements his previously filed Pretrial Witness and Exhibit Lists, and his Supplement and Second Supplement filed August 11, 2026, under Texas Rules of Civil Procedure 193.5 and 194.4, out of caution, and before the August 28, 2026 continued setting. This supplement identifies two proposed exhibits and one demonstrative hearing aid. It is limited to disclosure and adds no claim, count, party, or category of substantive relief.

I. ADDITIONAL PROPOSED EXHIBITS AND DEMONSTRATIVE

Petitioner identifies proposed Exhibits U and V as exhibits he may offer if the need arises. If offered, they will be offered only for the limited purposes stated in the table below, and each will remain subject to foundation, objection, and the Court's evidentiary rulings.

Demonstrative. Petitioner identifies H-1, a concise Cross-Request Record-Family Reconciliation Schedule derived from a supporting workbook, as a demonstrative and navigation aid that reduces longer message schedules to representative record families. The underlying records control. The supporting workbook is retained as electronic backup and is not part of the paper exhibit packet. H-1 is not offered as independent proof unless the Court permits its use on an appropriate foundation.

Filing or listing proposed Exhibits U and V, or identifying H-1, does not admit any of them. Petitioner will offer pinpoint material and request a ruling. Nothing in this supplement enlarges the scope of the focused continued setting or the requests already pleaded.

Exhibit	Item	Purpose / limitation
U	Selected Administrative-Review, Deferral, and Notice Records (16 pages)	Notice and chronology; the materials placed before administrative reviewers; the stated scope of the May 29 Bailey determination; and the OAG's later procedural closure and deference to this Court. If offered, limited to evaluating scope and weight. Not offered to assert a claim against the OAG, the Titus County District Attorney, or their personnel, and not offered to prove bad faith or criminal conduct.
V	August 14, 2026 City Production to [another requestor] e - Native-Record and Search-Reconciliation Controls (5 pages), with four controlling EML/MSG source files disclosed electronically	The City's delivery, closure, and search-result statement; a City-produced Outlook message preserving routing metadata, an embedded agency chain, and an intact attachment relationship; and a same-Message-ID container comparison. Limited to search, format, provenance, and reconciliation issues for proposed Exhibits E, F, and I. No environmental allegation is offered for its truth.

II. TIMING / CONDITIONAL REQUEST FOR FINDING

Proposed Exhibit U is a condensed, court-safe selection assembled after the August 10, 2026 hearing, at which the OAG determination and the scope of the administrative review became material to the focused continued setting. The May 22, 2026 OAG determination and transmittal already appear at filed Exhibit K-0 / Filed Volume 2, pages 36-42; U does not duplicate that material and instead supplies a short scope-and-procedure record. Proposed Exhibit V arises from the City's August 14, 2026 production to a separate requestor. Petitioner completed the native-file comparison and prepared the five-page court-safe rendering on August 22, 2026. H-1 was likewise prepared to reduce, rather than enlarge, the technical presentation.

To the extent these materials are considered untimely, Petitioner respectfully requests a finding under Rule 193.6(a)-(b) that good cause exists or, alternatively, that the supplementation will not unfairly surprise or unfairly prejudice Respondent. For U, the August 10 hearing made the scope and weight of the administrative review material; U is a short, sanitized compilation concerning the same dispute; the May 22 determination was already filed at Exhibit K-0; Respondent or its counsel authored the City-originated U records; and U concerns the same administrative proceedings in which Respondent's submissions were reviewed. For V, Respondent generated or supplied the August 14 production, its counsel was copied, and Petitioner completed the native comparison on August 22. Petitioner is disclosing the exact PDFs, H-1 schedule, and controlling V sources before the continued setting. These circumstances support the requested finding without predetermining admissibility or weight.

III. SOURCE HANDLING, AUTHENTICATION, AND LIMITS

The Exhibit V EML and MSG files control over the paper rendering, and those files and the H-1 schedule are separately provided to Respondent. The supporting H-1 workbook remains electronic backup and is not part of the paper exhibit packet. The live SharePoint token, MP4 content, rights-managed object, private contact information, and environmental-merits material are not printed in the court packet. Petitioner will first request a City stipulation and will otherwise rely on an appropriate City custodian or witness, the City production correspondence, distinctive characteristics, and any other foundation the Court permits. Petitioner does not presently designate or plan to call [that requestor] as a witness.

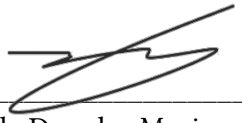
Proposed Exhibit U excludes Social Security numbers, financial-account information, DFPS or CPS information, SANE information, minor information, and the unredacted MPPD report. It is not offered to relitigate administrative complaints or to obtain relief against a nonparty.

IV. PRIOR DESIGNATIONS

All designations in Petitioner's previously filed Pretrial Witness and Exhibit Lists, and in Petitioner's Supplement and Second Supplement filed August 11, 2026, remain unchanged. This supplement adds proposed Exhibits U and V, identifies demonstrative H-1, adds no witness, and withdraws nothing. Petitioner may elect not to offer any item if the parties' court-directed conference and production resolve the corresponding issue. Records already produced are not sought again.

Petitioner respectfully requests that the Court accept this supplement and, if necessary, make the findings authorized by Rule 193.6(a)-(b), together with all further relief to which Petitioner may be entitled.

Respectfully submitted,

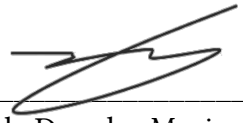


_____

Kyle Douglas Moring
Petitioner, Pro Se
[redacted]
Mount Vernon, Texas 75 457
[redacted] | [redacted]

CERTIFICATE OF SERVICE

I certify that on August 23, 2026, a true and correct copy of this Third Supplement to Pretrial Witness and Exhibit Lists, together with proposed Exhibits U and V, was served electronically through the electronic filing manager on all counsel and service contacts of record for Respondent City of Mount Pleasant, Texas, in accordance with Texas Rules of Civil Procedure 21 and 21a. The H-1 schedule and the four controlling EML and MSG source files identified in proposed Exhibit V were separately transmitted to Respondent's counsel electronically by email or secure link.



_____

Kyle Douglas Moring

CAUSE NO. 44437

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

PETITIONER'S PROPOSED EXHIBIT U

SELECTED ADMINISTRATIVE-REVIEW, DEFERRAL, AND NOTICE RECORDS

Limited purpose

This compact compilation is offered only to show notice and chronology; a request-specific conflict between a City no-records certification and a City-generated record; the scope and explanatory weight of the administrative determinations; and the OAG's later procedural deferral to Cause No. 44437. It is not offered to establish bad faith or intent, and Petitioner seeks no relief against the Office of the Attorney General, the Titus County District Attorney, or their personnel.

Sensitive information excluded

No underlying Social Security number, customer account number, ACH/wire/routing number, SANE or CPS information, minor-identifying information, or unredacted MPPD report is reproduced. The included pages consist of sanitized notices, official responses, a City certification, and City-counsel correspondence.

Relationship to previously filed Exhibit K

The May 22, 2026 OAG determination already appears in the filed record as Exhibit K / Filed Volume 2, pages 37-42, and is not duplicated here. Exhibit U supplies the later or separately maintained records needed to understand what was submitted, what was decided, and what review was subsequently suspended or closed in deference to this action.

Filing or serving this compilation does not itself admit any page into evidence. Each source page remains subject to authentication, objection, and an express evidentiary ruling.

SOURCE INDEX AND LIMITED-USE MAP

Exhibit pages	Included record and limited relevance
U-004	**April 29, 2026 – OAG Criminal Prosecutions Intake response (source page 1 of 6).** Complete OAG response confirms that two City notifications would be added to the file and separately explains when an additional Section 552.3215 complaint could be reviewed.
U-005 – U-006	**May 22, 2026 – sanitized Schneider Electric supplemental notice to Bailey (complete two-page record).** Shows pre-determination notice of apparent customer-account and ACH/wire/routing information without reproducing the underlying financial-access information.
U-007	**May 27, 2026 – transmittal to Bailey, copied to Richardson (complete one-page record).** Shows direct pre-determination delivery of the OpenGov no-records contradiction and requests consideration before a final determination.
U-008 – U-009	**May 27, 2026 – City certification and City Manager Vine response (source pages 7-8 of 18).** Pairs the City's sworn no-records/only-requestor-record position with a City-generated acknowledgment stating that the City would investigate and work with partners.
U-010 – U-011	**May 28, 2026 – sanitized binder cover and Austin Beck email (source pages 1 and 3 of 16).** Shows submission to Bailey, copied to Richardson, and City counsel's acknowledgment that confidential information was inadvertently released, followed by a deletion demand and warning of potential Section 552.352 penalties.

Excerpt convention: *the index identifies every omitted page. Full source PDFs are retained and can be supplied if the Court requests context under the rules of completeness.*

SOURCE INDEX AND LIMITED-USE MAP (CONTINUED)

Exhibit pages	Included record and limited relevance
U-012	**May 29, 2026 – Bailey determination (complete one-page record).** States globally that no PIA violation was found in the complaint or supplemental material and adopts the May 22 OAG findings; it contains no request-by-request or incident-specific explanation.
U-013	**May 29, 2026 – Bailey notice concerning the case file and USB drives (complete one-page record).** Confirms possession of both USB drives and states that the case file included Petitioner's submissions and items supplied by Richardson or the City and had been reviewed.
U-014	**May 29, 2026 – Bailey scope clarification (source page 1 of 2).** Reproduces Bailey's complete responsive statement that he evaluated the submissions with regard to the PIA complaint and that no other evaluations were complete; the earlier message continues in the retained source file.
U-015	**July 1, 2026 – ORD closure letter concerning 23 complaints (complete one-page official letter).** Identifies Cause No. 44437 and states that ORD would allow the trial court to resolve the complaint issues and therefore closed its file.
U-016	**July 8, 2026 – Richardson response (source page 1 of 187).** Reproduces Richardson's complete response: the existing determination remained operative unless amended, certification review was suspended in deference to the court action, and the separate TCDA reconsideration would receive follow-up.

SOURCE-INTEGRITY STATEMENT

The reproduced source pages are copied from the identified PDFs without substantive editing or redaction. Only an Exhibit U page label is added. Where fewer than all source pages are included, the included official response or source record is complete on its face, the omission is disclosed above, and the complete source PDF is retained. The sensitive underlying records described in the notices are intentionally excluded.

From: **CrimPros Intake** crimprosintake@oag.texas.gov
Subject: RE: TIME-SENSITIVE SUPPLEMENT — Case No. L260017200 — City of Mount Pleasant — Apparent Public SSN Exposure / Preservation Request
Date: April 29, 2026 at 11:31 AM
To: Kyle Moring [redacted], Kent Richardson Kent.Richardson@oag.texas.gov
Cc: CrimPros Intake crimprosintake@oag.texas.gov

Dear Mr. Moring,

Thank you for both notifications regarding the City of Mount Pleasant below. This information will be added to our file. If you are wanting to file this as an additional 552.3215 complaint, our office does not yet have jurisdiction. The only time our division has jurisdiction is 1. After the CA/DA has issued a ruling that you would like reviewed, 2. After the CA/DA has recused, or 3. 90 days after the original complaint to the CA/DA if no ruling has been issued.

If after you receive a response from the CA/DA (notice of ruling or notice of recusal) or after 90 days from submission to the CA/DA, you would still like us to review the case then you can submit it to this email with the determination/recusal letter from the CA/DA or if no determination was made the dated complaint that was sent to the CA/DA.

Sincerely,
Criminal Prosecutions Intake

From: Kyle Moring <[redacted]>
Sent: Wednesday, April 29, 2026 9:58 AM
To: Kent Richardson <Kent.Richardson@oag.texas.gov>
Cc: CrimPros Intake <crimprosintake@oag.texas.gov>
Subject: Re: TIME-SENSITIVE SUPPLEMENT — Case No. L260017200 — City of Mount Pleasant — Apparent Public SSN Exposure / Preservation Request

Mr. Richardson,

I am submitting this second supplement in Case No. L260017200, regarding the open §552.3215 matter involving the City of Mount Pleasant.

This supplement concerns a separate category of apparent confidential-information exposure identified in the same OpenGov-hosted City financial-transparency environment addressed in my earlier SSN supplement. The newly identified records appear to involve sexual assault forensic medical examination payment records, patient-identifying information, and at least one record that appears to involve a minor patient.

I am not including any dates of birth, patient case numbers, victim-identifying details, or full row-level contents in the body of this email. Those details are contained only in the encrypted attachment.

Summary of additional finding

Using ordinary public access only – no authentication, circumvention, exploitation, or nonpublic endpoint access – I conducted an additional pattern-based review of the City of Mount Pleasant's publicly available Accounts Payable transparency dataset on the OpenGov-hosted public portal.

The same public portal is located at:

[redacted]

The review identified a separate category of sensitive records involving sexual assault forensic medical

From: Kyle Moring [redacted]
Subject: Re: Supplemental Notice re § 552.3215 Complaint – City of Mount Pleasant Schneider Electric/PC23P0040 TPIA Production; OR-26-014805-IC and OR-26-016154-CC
Date: May 22, 2026 at 9:02 AM
To: cbailey@co.titus.tx.us

KM

Mr. Bailey,

I am briefly supplementing the pending Texas Government Code § 552.3215 complaint process involving the City of Mount Pleasant.

Attached are: **(1)** the notice I sent the City yesterday regarding non-responsive Schneider Electric/PC23P0040 records released in the regulatory agency correspondence production; **(2)** the follow-up I sent the City this morning regarding KeyQL/KQL deficiencies, OneDrive removal, video.msg preservation, and prompt production; and **(3)** the KeyQL search analysis spreadsheet I sent to the City.

I am keeping this supplement brief because I do not have enough time to dedicate to a more detailed submission this morning. These materials appear relevant to the pending complaint record and to ORD references OR-26-014805-IC and OR-26-016154-CC.

I am not attaching the underlying Schneider Electric records, utility customer spreadsheets, or ACH/wire/payment materials. If you have any questions or need anything further, please feel free to reach out to me.

Respectfully,

Kyle Moring
[redacted] | [redacted]

URGENT NOTICE Nonresponsive SchneiderPC23P0040 Records ...

URGENT FOLLOWUP Regulatory Agency Correspondence TPIA ...

KeyQL_Search_Results_05212026.xlsx

> On May 21, 2026, at 7:27 PM, Kyle Moring <[redacted]> wrote:
>
> Mr. Bailey,
>
> I am submitting this sanitized supplemental notice for the pending Texas Government Code § 552.3215 complaint process involving the City of Mount Pleasant.
>
> This supplement concerns a TPIA production I received today from the City involving Schneider Electric/PC23P0040/Invoice 9 water meter project records. The production is part of the same production set implicated in OAG Open Records Division complaint references OR-26-014805-IC (Agency Correspondence) and OR-26-016154-CC (Agency Correspondence), which are already part of the broader formal complaint context.
>
> I am not attaching the unredacted production to this email because the records appear to include sensitive customer-level utility information and contractor financial-access information. If your office needs the unredacted records, I can provide them through a secure evidence-handling method your office designates. Alternatively, your office may prefer to obtain the complete production set directly from the City.
>
> The records I received today appear to include the following production materials:
>
> - City of Mount Pleasant Customer Final Acceptance/PC23P0040 final acceptance materials
> - City of Mt. Pleasant PC23P0040 Application 9/Invoice 0001127473 payment materials

City of Mt. Pleasant PC25F0040 Application 9/Invoice 0001127475 payment materials

- Final Installation List 06042025.xlsx
- Final Can't Complete List 06042025.xlsx
- Invoice 9 Meter Summary
- MP Contractor Pay Request 9

The customer-level utility spreadsheets appear to contain row-level water utility account and meter records. The Final Installation List appears to contain approximately 5,872 installation rows and fields including account number, customer name, service address, service code, meter size, meter number, last-billed reading, found read, pipe-type information, new meter number, new transmitter number, comments, additional work, installer, work-order date, and batch-file date. The Final Can't Complete List appears to contain approximately 160 rows and fields including account number, customer name, service address, meter number, status, can't-complete reason, installer comments, installer, and work-order date.

The payment application materials also appear to contain Schneider Electric wire/ACH/routing/SWIFT-type financial access information. I am intentionally not repeating those details in this notice.

The issue appears material to the pending § 552.3215 complaint process because the production may reflect a failure to withhold or redact information that is confidential or otherwise excepted from public disclosure. The potentially relevant provisions include Texas Utilities Code §§ 182.051, 182.052, 182.054, and 182.055, and Texas Government Code §§ 552.101, 552.1331, 552.136, and 552.352.

I understand that your office will make its own determinations and that this notice does not establish that any violation occurred. My purpose is to supplement the existing complaint record with newly received production materials that appear directly relevant to the City's TPIA processing, confidentiality review, redaction practices, and corrective action.

I respectfully request that this supplement be added to the pending § 552.3215 complaint file and considered in evaluating whether the City's handling of the relevant TPIA production set supports further action, cure notice, inquiry, or referral under the pending § 552.3215 process.

Please confirm receipt and advise whether your office wants the unredacted production materials through a secure channel, or whether you prefer to obtain them directly from the City.

Respectfully,

Kyle Moring
[redacted] | [redacted]

From: Kyle Moring [redacted]
Subject: Supplemental Evidence – City of Mount Pleasant § 552.3215 Complaint/OpenGov No-Records Certification
Date: May 27, 2026 at 1:36 PM
To: cbailey@co.titus.tx.us
Cc: Kent Richardson Kent.Richardson@oag.texas.gov

KM

Mr. Bailey,

I am submitting the attached supplemental evidence binder for consideration in the pending § 552.3215 complaint process regarding the City of Mount Pleasant.

I am copying Mr. Richardson because this supplemental information concerns the same City TPIA handling issues currently under review by the Office of the Attorney General, and because prior preliminary correspondence regarding the City complaint has included both your office and Mr. Richardson.

Your April 16 preliminary response stated that your office was communicating with the City Attorney for the City of Mount Pleasant and that a final determination would be made once all relevant information had been received and reviewed. I am submitting this supplement for that purpose.

On May 14, 2026, I submitted a TPIA request to the City concerning its receipt, handling, routing, investigation, response, remediation, escalation, vendor communication, public communication, and records preservation regarding my notice involving the City's OpenGov / "New Financial Transparency" website and related financial transparency materials.

The request specifically sought records reflecting receipt, acknowledgment, forwarding, routing, assignment, review, investigation, escalation, steps taken after notice, vendor or OpenGov communications, public-access issues, data-integrity issues, potential exposure/security issues, and any decision to provide or not provide public notice.

On May 27, 2026, Candias Webster transmitted a certification stating that the City conducted a reasonable and good-faith search and determined that no records exist responsive to any of Items 1 through 25 of the request. The certification further states that the only record identified relating to the subject matter is my own communication to the City, that no other responsive records exist, that no information was withheld, and that no Attorney General ruling was required.

I understand that the City did provide a written response. My concern is not a complete failure to respond. The concern is the accuracy and completeness of the City's no-responsive-records certification.

The certification appears difficult to reconcile with the attached April 28, 2026 email from City Manager Robert G. Vine. In that email, Mr. Vine responded to my OpenGov financial transparency portal notice and stated: "Thank you for bringing this to our attention. We will investigate and work with our partners to ensure private information remains safe."

That email is a City-generated record. It is not my own communication to the City. It also appears responsive to the May 14 request because it reflects acknowledgment, handling, investigation, response, and anticipated work with "partners" concerning the OpenGov financial transparency portal issue.

The certification also appears incomplete on its face. Paragraph 4 states: "The City located no responsive records, including but not limited to:" but no list follows. I do not contend that this drafting issue alone proves a violation, but it is relevant to the reliability and completeness of the certification.

To be clear, I am not asking your office to determine whether the underlying OpenGov issue constituted a reportable privacy, security, or data-exposure incident. I am submitting this only as supplemental evidence regarding the City's TPIA handling. The narrow issue is whether the City's no-records certification is accurate and complete in light of a known written acknowledgment from the City Manager and his statement that the City would investigate and work with partners.

Please add the attached binder to the materials under review in the pending City of Mount Pleasant § 552.3215 matter. If a final determination has not yet been issued, I respectfully request that this information be considered before any final determination is made.

Respectfully,

Kyle Moring
[redacted] | [redacted]

2026-05-27 - DA Bailey Supplemental Binder - OpenGov...
1.2 MB

City of MOUNT PLEASANT

Requestor: Kyle Moring
Date of Request: May 14, 2026

I, **Candias Webster**, City Secretary for the City of Mount Pleasant, Texas, hereby certify the following:

1. The City received the above-referenced request under the Texas Public Information Act, Chapter 552 of the Texas Government Code, seeking records related to the City's OpenGov or "New Financial Transparency" website and the requestor's notice regarding its alleged unavailability.
2. The City conducted a reasonable and good faith search for responsive information. This search included records maintained by, or reasonably accessible to, the custodians, departments, systems, and accounts identified in the request.
3. After completing this search, the City determined that no records exist that are responsive to any of the categories identified in Items 1 through 25 of the request.
4. The City located no responsive records, including but not limited to:
5. The only record identified relating to the subject matter described in the request is the requestor's own communication to the City providing notice of the alleged issue. No other responsive records exist.
6. Accordingly, the City has no responsive documents to produce.
7. No information has been withheld, no exceptions to disclosure are asserted, and no request for a ruling from the Office of the Attorney General is required.

I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and based on the City's search as described above.

Executed on this 27 day of May, 2026

Candias Webster

Candias Webster
City Secretary
City of Mount Pleasant, Texas

From: **Rob Vine** rvine@mtpleasanttx.gov
Subject: RE: URGENT CONFIDENTIAL NOTICE – City of Mount Pleasant Financial Transparency Portal – Apparent Public SSN Exposure / Preservation Request
Date: April 28, 2026 at 8:29 PM
To: Kyle Moring [redacted], Candias Webster cwebster@mtpleasanttx.gov, Lea Ream lream@dtrglaw.com, Austin Beck abeck@dtrglaw.com

RV

Mr. Moring,

Thank you for brining this to our attention. We will investigate and work with our partners to ensure private information remains safe.

Robert G. Vine, CPM
City Manager

City of Mount Pleasant
501 N. Madison
Mount Pleasant, TX 75455

From: Kyle Moring <[redacted]>
Sent: Tuesday, April 28, 2026 7:44 PM
To: Rob Vine <rvine@mtpleasanttx.gov>; Candias Webster <cwebster@mtpleasanttx.gov>; Lea Ream <lream@dtrglaw.com>; Austin Beck <abeck@dtrglaw.com>
Subject: URGENT CONFIDENTIAL NOTICE – City of Mount Pleasant Financial Transparency Portal – Apparent Public SSN Exposure / Preservation Request

Mr. Vine, Ms. Webster, Ms. Ream, and Mr. Beck:

I am providing written notice of an apparent public exposure of Social Security numbers in the City of Mount Pleasant's OpenGov-hosted financial transparency portal.

Please treat this as a confidential security/privacy notice and preservation request. This is not a Texas Public Information Act request. Because the issue involves apparent Social Security numbers and other sensitive identifying information, I respectfully request that this notice, the attachment, and related evidence be handled as sensitive and limited to City personnel, counsel, records-management personnel, and technical personnel with a need to know. To the extent any related material is later reviewed under the Public Information Act or otherwise considered for release, I request that it first be reviewed for applicable confidentiality, privacy, security, and redaction requirements.

Public portal URL:

[redacted]

Summary of finding

Using ordinary public access only – no authentication, circumvention, exploitation, or nonpublic endpoint access

Supplemental Evidence Binder

City of Mount Pleasant TPIA Production — Inadvertent Release and SharePoint/OneDrive Access Removal

---

Submitted to:
District Attorney Charles C. Bailey

Cc:
Kent Richardson, Office of the Attorney General

Submitted by:
Kyle Moring

Date:
May 28, 2026

This binder is submitted as supplemental information concerning the City of Mount Pleasant's handling of my February 8, 2026 TPIA request for regulatory-agency correspondence.

The binder contains sanitized correspondence and access-removal documentation only. It does not include the unredacted MPPD case report, the underlying `.msg` file, screenshots of sensitive contents, or any law-enforcement-sensitive records. If review of the underlying file is necessary, I request secure-submission instructions.

Contents

Exhibit A — Austin Beck, May 28, 2026 Email (City counsel acknowledgment of inadvertent release)

Exhibit B — Kyle Moring, May 28, 2026 Response (mitigation position and request for restored access to non-exempt records)

Exhibit C — SharePoint / OneDrive Access Removed Error (timestamp May 28, 2026 at 9:13:51 a.m.)

From: **Austin Beck** abeck@dtrglaw.com
Subject: RE: Urgent Council Notice – Unredacted MPPD Case Report Released in TPIA Production / Outside Reporting and Ethics Agenda Request
Date: May 28, 2026 at 1:06 PM
To: Kyle Moring [redacted], Wesley Lyon wlyon@mtpleasanttx.gov, Carl Hinton chinton@mtpleasanttx.gov, Debbie Corbell dcorbell@mtpleasanttx.gov, Kelly Redfearn kredfearn@mtpleasanttx.gov, Jonathan Hageman jhageman@mtpleasanttx.gov, Melanie Knight melanie.knight@mtpleasanttx.gov
Cc: Rob Vine rvine@mtpleasanttx.gov, Candias Webster cwebster@mtpleasanttx.gov, Lea Ream LReam@dtrglaw.com

AB

Mr. Moring,

It appears that **confidential information** was inadvertently released to you recently through the open records process. **Since you are not authorized to possess confidential information, please kindly and immediately delete any records you received that include unredacted criminal case information.** The City can resend the "undeliverable email" to you, along with any attachments, once appropriate redactions have been made. You obviously do not need to possess any confidential information in order to pursue whatever complaints or other actions you wish to take regarding the inadvertent disclosure of same, but you do have an ethical and legal obligation to mitigate the disclosure of confidential information which you are **expressly not authorized to possess.**

If you distribute any portion of the confidential information to any third-party, you may be subject to criminal penalties under Sec. 552.352, Tex. Gov't Code, which constitutes a misdemeanor punishable upon conviction by a fine of up to $1000 and/or confinement in jail for up to six (6) months, in addition any other applicable criminal or civil liability.

Once you have confirmed that you've deleted and are no longer in possession of the undredacted criminal case records accessed through the undeliverable email file, the City Secretary will provide you with a redacted version of those same files.

Please let me know if you have any questions.

Regards,

Austin Beck

DAVIDSON TROILO REAM & GARZA PC

601 NW Loop 410 Suite 100
San Antonio, Texas 78216
210-349-6484 Main Office
210-442-2343 Direct
210-349-0041 Fax
www.dtrglaw.com

ATTENTION OFFICIALS: A "Reply to All" on this e-mail or reply or forward to one other official could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

CHARLES C. BAILEY
District Attorney, 76th Judicial District of Texas
P. O. Box 249
Mt. Pleasant, Texas 75455-0249

Couties:
Camp
Titus

Office Address:
105 West 1st
(903) 577-6726
cbailey@co.titus.tx.us

May 29, 2026

Kyle Moring
[redacted]

Re: Public Information Complaint Against City of Mount Pleasant

I find no violation of the Texas Public Information Act in your complaint or in the supplemental material you provided relative to said complaint. Therefore, no action will be brought by this office against the City of Mount Pleasant. I also adopt the findings of the final determination made by the Office of the Attorney General as recited in its Determination Letter of May 22, 2026.

Sincerely,

/s/Charles C. Bailey
Charles C. Bailey
District Attorney

From: cbailey@co.titus.tx.us
Subject: Notice
Date: May 29, 2026 at 2:09 PM
To: Kyle Moring [redacted]

Mr. Moring:

No records exist other than the records you submitted as to the following categories 6, 7, 8, 9, or 10. Both USB drives are in my possession, have not been in the possession of any other person expect when they were delivered by you or your agent to my secretary and then to me, and at both deliveries I was present in my office and took possession immediately from my secretary. As to number 8, the case file consists of your emails and attachments and USBs, along with the items provided by Mr. Richardson or the city, a copy of which I sent to you earlier today. The case file has been reviewed.

With regard to categories 1-5, if not provided via my emails to you earlier today, certain subsets of those categories do not exist, but each of those categories, a record or record(s) have been provided via email to you earlier today.

Chuck Bailey

From: cbailey@co.titus.tx.us
Subject: Re: Notice
Date: May 29, 2026 at 2:49 PM
To: Kyle Moring [redacted]

I have evaluated your submissions with regard to your PIA complaint. No other evaluations are complete at this time.

May 29, 2026 2:30 PM, "Kyle Moring" <[redacted]> wrote:

Mr. Bailey,

Thank you for your Notice. I understand your Notice to state that the case file consists of my emails, attachments, USB drives, and the items provided by Mr. Richardson or the City, and that the case file has been reviewed.

This email is not a Public Information Act request. I am not requesting records, copies, correspondence, file materials, logs, or any other public information through this email. I understand that the Public Information Act does not require a governmental body to create records or answer questions in response to a records request.

This is a direct request for answers from you, in your capacity as District Attorney, regarding the criminal-law issues and TOMA complaint that were not resolved by the OAG's May 22, 2026 final determination.

Your May 29, 2026 letter states that you found no violation of the Texas Public Information Act in my complaint or supplemental materials, that no action would be brought by your office against the City of Mount Pleasant, and that you adopted the OAG's May 22 final determination.

However, the OAG's May 22 final determination also stated that any decision on alleged criminal violations of the PIA or other laws would need to be addressed by the Titus County District Attorney's Office. The OAG also stated that my TOMA complaint could not be addressed through the §552.3215 PIA complaint process.

Because your Notice now states that the case file has been reviewed, please answer the following directly.

Criminal-law issues

1. Did your office review the alleged criminal violations of the PIA or other laws raised in my complaint, supplemental materials, emails, attachments, and USB submissions?

2. Did your office make a criminal law determination on those allegations?

3. If a criminal-law determination was made, please state which disposition applies:

a. no criminal offense occurred;

b. the evidence was insufficient;

c. probable cause was lacking;

d. prosecution was declined as a matter of prosecutorial discretion;

e. the matter was outside your jurisdiction or authority;

f. the matter was referred elsewhere; or

g. some other disposition.

4. Does your May 29 statement that "no action will be brought by this office against the City of Mount Pleasant" include a decision not to pursue any criminal charge against the City, any City official, any City employee, or any other person?

5. Or does that May 29 statement refer only to civil PIA enforcement under the OAG's §552.3215 review?

6. If your office did not make a criminal-law determination, please state that clearly and advise whether you require a separate criminal complaint, additional materials, or any other submission.

TOMA complaint

1. Did your office review the TOMA complaint referenced in the OAG's May 22 final determination and included in my submitted materials?

2. Did your office make any determination regarding the TOMA complaint?

3. If a TOMA determination was made, please state which disposition applies:

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 1, 2026

Mr. Kyle Moring
Sent via e-mail.

Dear Mr. Moring:

The Office of the Attorney General (the "OAG") received 23 complaints from you alleging the City of Mount Pleasant (the "city") has failed to respond appropriately to a request for information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaints were assigned ID# OR-25-055840-IC.

We note that you have filed a lawsuit against the city, which is pending. *See Moring v. City of Mount Pleasant*, Cause No. 44437, (76th Dist. Ct., Titus County, Tex.). Therefore, we will allow the trial court to resolve the issues raised in your complaints. Accordingly, we will close our file on these matters.

If you have any questions or need further assistance, please call the Open Government Hotline (877) 673-6839.

Sincerely,

Joseph Hoggatt
Assistant Attorney General
Education and Enforcement Section
Open Records Division

Ref: ID# OR-25-055840-IC

Enclosure

c: Candias Webster
City of Mount Pleasant
Sent via e-mail.

From: **Kent Richardson** Kent.Richardson@oag.texas.gov
Subject: RE: PIA Complaint - City of Mount Pleasant
Date: July 8, 2026 at 11:36 AM
To: Kyle Moring [redacted]

KR

Mr. Moring,

To answer your first question, yes, the determination issued will remain the determination unless it becomes necessary to amend at some future date.

To answer your second question, a review of the certifications you supplemented has also suspended due to the closure of the complaint as indicated in deference to the court action.

With respect to the request to reconsider the complaint against the Titus County District Attorney, I will also follow-up with Mr. Bailey to address the possible discrepancies in the timeline you note as well as to re-confirm complete release.

Thank you.

Kent Richardson
Deputy Division Chief
Criminal Prosecutions Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548
(512) 922-6124
(512) 397-1642 Fax
kent.richardson@oag.texas.gov

From: Kyle Moring <[redacted]>
Sent: Tuesday, July 7, 2026 8:55 PM
To: Kent Richardson <Kent.Richardson@oag.texas.gov>
Subject: Re: PIA Complaint - City of Mount Pleasant

Mr. Richardson,

Thank you for the update.

I understand your position that the request for further review of the City of Mount Pleasant complaint will be closed in deference to the pending mandamus action, consistent with ORD's handling of related matters. I also understand that you are continuing to work on the DSHS and Fort Worth requests for reconsideration.

I would appreciate clarification on three points.

First, with respect to the City of Mount Pleasant matter, please confirm whether the May 22, 2026 determination will remain the operative public determination without revision, or whether your office will issue any notation or supplemental closure notice clarifying that further review is being closed because the matter is now before the trial court, rather than because the supplemental counter-evidence was reviewed and rejected.

My concern is that the mandamus action may resolve production, search, withholding, and access issues going forward, but it does not necessarily resolve the separate problem that the existing OAG determination remains a public record reflecting no-violation / cured findings based on City representations that I have since disputed with City records, third-party records, later City productions, ORD certification materials, and court filings. I am trying to understand how closure in deference to mandamus resolves that issue if the unrevised determination remains the public record.

Second, I specifically request clarification regarding the City's signed certifications to ORD. The certification materials produced through PIR No. R032947 show multiple City certifications, executed by Candias Webster, selecting the option that the City had made available "all existing responsive information." I have provided your office with substantial counter-evidence showing that several of those certifications appear materially disputed by City records, third-party records, later City productions, and the City's own later admissions.

That issue is not merely a production dispute. It goes to accountability. If the City certified complete production to ORD, and those certifications are materially contradicted by the record, then closing the Request for Revision solely because a mandamus case is pending appears to leave the certification issue unresolved. Please clarify whether your office has reviewed the certification evidence as part of the Request for Revision, and whether the closure in deference to mandamus means your office is declining to address the certification/accountability issue.

This is also why I continue to press the issue despite the time and effort involved. I have pursued these matters more persistently than most requestors realistically could, and I have been able to compare City certifications, City productions, third-party agency records, later productions, OAG records, and court filings across many months. Most requestors would not have the time, resources, or record access to identify those contradictions. If signed certifications, no-records positions, incomplete productions, and contradictory representations are left unaddressed when the record materially disputes them, then the same practices can affect other requestors without meaningful consequence. My concern is therefore not only about my own records requests; it is about whether the public information process remains reliable for anyone who does not have the ability to pursue the issue this far.

Third, please clarify the status of my separate Request for Revision concerning the April 17, 2026 determination regarding the Titus County District Attorney's Office / Charles C. Bailey. That request is separate from the City of Mount Pleasant mandamus action. The mandamus case is against the City of Mount Pleasant and does not address TCDA's production to me, TCDA's response to my February 27 request, the later Bailey / Nipp production, the native-format / forwarded-email issue, or the scope of Mr. Bailey's review of my City complaint.

This issue also ties directly into the TCDA Request for Revision. Mr. Bailey issued a no-violation determination regarding the City while his office had, or appears to have had, City / MPPD records in its possession that were relevant to the City's no-records and complete-production representations. He later produced some of those records to me, including materials that appear to contain unredacted social security number information and DFPS / CPS history-related information. That raises a separate issue that mandamus against the City will not resolve: whether TCDA's review of the City complaint was complete and reliable, and whether TCDA's own production practices complied with Chapter 552 and appropriate confidentiality / redaction standards.

Your email refers to the DSHS and Fort Worth requests for reconsideration, but it does not address the TCDA / Bailey Request for Revision. Please confirm whether that TCDA request remains pending, has been closed, or will be addressed separately.

I am not submitting additional evidence in this email. I am asking for clarification of the procedural status of the City Request for Revision, the City certification materials, and the separate TCDA / Bailey Request for Revision so I can accurately understand what remains pending before your office and what issues your office considers resolved.

CAUSE NO. 44437

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

PROPOSED EXHIBIT V

August 14, 2026 City Production to [another requestor]

Native-record and search-reconciliation controls for the August 28 continued hearing

RELATIONSHIP AND WITNESS STATUS. [another requestor] [relationship details omitted] Petitioner is not designating and does not presently plan to call [requestor] as a witness. Petitioner proposes to address authenticity first by City stipulation and, if necessary, through a City custodian or other City witness, the City's production correspondence and distinctive characteristics, or another admissible foundation.

Source	Integrity / identifier	Limited use
City production/search correspondence (native EML)	**SHA-256:** 13be3770c1735cd2728b60480e09d44e0e008e8e3b8a83c6602eb28c814507eb **Message-ID:** <DS0PR16MB6902F1B04A0CB4C0AFA3941BACDA2@DS0PR16MB6902.namprd16.prod.outlook.com>	City delivery, closure, and stated search result.
City Outlook forward with agency chain and MP4 (native MSG)	**SHA-256:** a9ca6efc29a9e3ff4fbf729ff563afe05473e3eafc60a2c6b4b559162ee992b3 **Message-ID:** <DM6PR16MB3655EF00A9E6AEF23DB11AA6A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>	Routing metadata, embedded chain, and intact attachment relationship.
video.msg - Aug. 14 variant (native MSG)	**SHA-256:** cefeaa557aa58fedcd29e04aacc91d649f933b79ebdfdf0cc5a7286d28ff09c3 **Message-ID:** <DM6PR16MB3655B4E1C4933BAB34584FE8A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>	Rights-managed wrapper supplied in the Aug. 14 production.
video.msg - May 21 variant (native MSG)	**SHA-256:** 0a7d572b5a43fd8b2e4d1fc5668f14f07d51f57c12454ac7e7f7f4e26ddbfd52 **Message-ID:** <DM6PR16MB3655B4E1C4933BAB34584FE8A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>	Earlier City-produced container for the same logical Message-ID.

USE LIMITS

- The native EML and MSG files control. These pages are readable renderings and a comparison aid; labeling or filing them does not make them admitted evidence.
- The records are offered as known search and reconciliation controls unless comparison proves a specific earlier omission. The Aug. 14 video wrapper is not described as a newly discovered logical message.
- No environmental allegation is offered for its truth. No live SharePoint token, private phone number, street address, video frame, or substantive MP4 content is reproduced.
- A City-produced native MSG with rich metadata and an intact attachment is relevant to capability, but it does not prove that Purview performed the export or that every City repository has the same export function.

City Production, Closure, and Search Statement

Source: City production EML; live download token and contact blocks omitted

Field	Value
From / To	Candias Webster, City of Mount Pleasant –> [another requestor]
Cc	Austin Beck, counsel for Respondent
Date / Subject	Aug. 14, 2026, 20:06:03 UTC | RE: TPIA Request - Randall Hodo Email Correspondence
Message-ID	<DS0PR16MB6902F1B04A0CB4C0AFA3941BACDA2@DS0PR16MB6902.namprd16.prod.outlook.com>
Source SHA-256	13be3770c1735cd2728b60480e09d44e0e008e8e3b8a83c6602eb28c814507eb

CITY'S AUGUST 14 TEXT

CITY STATEMENT. "I don't see either message protected in the files I provided. There are no other files that were located in the search for records."

The quoted 2:35 p.m. City delivery message supplied a SharePoint link and stated: "This request was closed as of 08/14/2026." The live access token is intentionally omitted.

[requestor] REQUEST CONTROL

The July 30 request sought existing City or MPPD emails sent to, received from, copied to, mentioning, or referencing Randall Hodo, including complete threads, originals, replies, forwards, and attachments, in native MSG or EML form. It identified this nonexclusive control:

CONTROL. October 28, 2025, approximately 11:27 a.m. | Amber James -> Randall.Hodo@tceq.texas.gov | subject "video" | Message-ID <DM6PR16MB3655B4E1C4933BAB34584FE8A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>

Limited inference. The City's statement reports the result of the search for [that requestor's] separate request. It does not disclose the exact query, custodians, repositories, date logic, or handling of embedded content; and it does not, by itself, establish what search was executed for Petitioner's requests E, F, or I.

City Outlook MSG – Internal Forward and Attachment Family

Readable metadata rendering; the Aug. 14 native MSG controls

Field	Value
From	Amber James <ajames@mpcity.org>
To / Cc	Bryan Denney; Code Enforcement | Cc: Mark Buhman
Date / Subject	Oct. 27, 2025, 9:03:21 p.m. CDT | Fw: (RCRA/Solid Waste - FY26-342051-3708) Criminal Tip and/or Complaint - Texas
Message-ID	<DM6PR16MB3655EF00A9E6AEF23DB11AA6A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>
MSG SHA-256	a9ca6efc29a9e3ff4fbf729ff563afe05473e3eafc60a2c6b4b559162ee992b3
Attachment	2025-10-08 - Store 131 - Environmental Concerns (TLE-PM).mp4 | 22,171,952 bytes **SHA-256:** e67df7add34a8ec9fe30d408a8226b8dba11774795adbf7916437b9c480225b6

SELECTED OUTER-MESSAGE TEXT

AMBER JAMES TO CITY RECIPIENTS. "EPA called and said that he was contacted about a complaint for a contractor at Walmart dumping waste into water. I was not sure who needed to get this, so I am sending it to you."

LIMITED EVIDENTIARY PURPOSE

This record identifies City custodians, a Walmart/Store 131-related message family, an exact Message-ID, a City-to-City routing path, an embedded agency chain, and the MP4 attachment relationship. It is a direct reconciliation control for request F. Because the embedded chain contains Petitioner's identifiers, it is also a control for request E. The agency routing and forwarded content provide limited corroborative context for request I and filed Exhibit K.

The point is the existence, routing, electronic form, embedded content, and attachment family. The truth of the complaint narrative is outside the proposed use of Exhibit V.

CAPABILITY LIMIT. The native MSG shows that the City delivered one Outlook item with rich MAPI/Exchange metadata and an intact 22-megabyte attachment. It does not establish that every responsive record can be exported by the same path, that Purview created this file, or that every City repository supports identical output.

Embedded EPA / TCEQ / City Chain

Selected non-sensitive text and identifiers from the same controlling MSG

Chain leg	Selected source text or search control
TCEQ –> City	**Randall Hodo to Amber James, Oct. 27, 2025:** "Please see attached." The message discusses a referred matter and possible local or code-enforcement handling.
EPA –> TCEQ	**Special Agent Robert Kozeluh to Randall Hodo, Oct. 27, 2025:** "We received below tip. We'd like to refer it to you all."
Indexed identifiers	The embedded source block identifies Kyle Moring, his email address, and WALMART SUPERCENTER 131. Phone, street address, coordinates, and narrative details are omitted here.
Attachment relationship	The City outer MSG preserves 2025-10-08 - Store 131 - Environmental Concerns (TLE-PM).mp4 as an attached file. No frame or substantive video content is reproduced.
SEARCH SIGNIFICANCE. The outer item is a City-to-City message. Direct agency correspondence and Moring/Walmart identifiers appear inside the forwarded body. The record is therefore a positive control for embedded-content and attachment-family handling; a search confined to visible outer participants could miss the maintained City copy.	

The embedded chain also contains antecedent Message-ID references. Those identifiers are nonexclusive reconciliation controls. They are not proof that every antecedent message remains maintained as a separate item or that every related item is independently responsive.

What this page does not prove. It does not establish that a particular query syntax was legally required, that the record was absent from every earlier PDF or quoted thread, or that the environmental allegations are true.

Same Message-ID - Materially Different Produced Containers

Why Message-ID-level reconciliation is more reliable than filenames alone

Feature	City production to Kyle - May 21	City production to [requestor] - Aug. 14
Logical Message-ID	<DM6PR16MB3655B4E1C4933BAB34584FE8A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>	<DM6PR16MB3655B4E1C4933BAB34584FE8A5FDA@DM6PR16MB3655.namprd16.prod.outlook.com>
Container size	37,376 bytes	110,592 bytes
Container SHA-256	0a7d572b5a43fd8b2e4d1fc5668f14f07d51f57c12454ac7e7f7f4e26ddbfd52	cefeaa557aa58fedcd29e04aacc91d649f933b79ebdfdf0cc5a7286d28ff09c3
Visible body	No body exposed by standard MSG parsing used for this comparison.	A Microsoft Information Protection notice is visible.
Attachment	No attachment exposed by the same standard parsing.	message.rpmsg; 51,053 bytes; **SHA-256**: 3cb238cd48838dfed93f827b8f561e73445e7513248b696719bb2a58856b071b

LIMITED INFERENCE. The two files are materially different containers for the same logical Message-ID. The Aug. 14 file is a later-produced variant, not a newly discovered logical message. The comparison supports exact Message-ID and container-level reconciliation and a usability inquiry. It does not establish who imposed protection, intent, or that every prior production was incomplete.

The Aug. 14 wrapper's client-submit field points to Oct. 28, 2025, while its file/container metadata reflects later processing. It should be described as the MSG file as produced, not automatically as an untouched original source item.

PROPOSED FOUNDATION AND HANDLING

The City-produced EML documents delivery to [requestor], and the source files are preserved unchanged with the hashes shown in this exhibit. Petitioner does not designate or presently plan to call [requestor] as a witness. Petitioner will first seek a City stipulation as to source and production. If disputed, Petitioner proposes City-side authentication through the producing official, a records custodian or other City witness, the production correspondence and distinctive characteristics, or another admissible foundation.

The EML and MSG source files should be disclosed electronically to Respondent, but the live SharePoint token, MP4 content, rights-managed object, and private contact details should not be printed in the paper binder unless the Court requires them.

Proposed use only. Exhibit V is offered as a compact technical and reconciliation aid. Authenticity, admissibility, weight, and any ultimate inference remain for agreement or ruling.

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 118974117
Filing Code Description: No Fee Documents
Filing Description: Third Supplement U V
Status as of 8/24/2026 4:22 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Austin R. Beck		abeck@dtrglaw.com	8/23/2026 4:53:06 PM	SENT
Lea A. Ream		lream@dtrglaw.com	8/23/2026 4:53:06 PM	SENT
Marla Dial		mdial@dtrglaw.com	8/23/2026 4:53:06 PM	SENT