From: **Kyle Moring** [redacted]
Subject: Texas Public Information Act Request: John Ankrum, Building Official, Cell Phone Call Logs Involving Walmart, OSHA, DSHS, TCEQ, and Regulatory Agency Contacts (June 1, 2025 to Present)
Date: May 13, 2026 at 8:50 AM
To: Candias Webster cwebster@mtpleasanttx.gov
Cc: Austin Beck abeck@dtrglaw.com

KM

Good morning,

Pursuant to the Texas Public Information Act, Texas Government Code Chapter 552, I request copies of the following public information:

All existing records, call logs, call detail records, itemized phone records, phone bills, carrier usage records, call history exports, screenshots, internal records, or other existing records showing telephone calls to or from John Ankrum, Building Official for the City of Mount Pleasant, from June 1, 2025 through the date this request is received, limited to calls involving Walmart, OSHA, DSHS, TCEQ, or any other regulatory agency involved in or contacted about Walmart related official business, complaints, inspections, permitting, code compliance, health, safety, environmental, building, occupancy, or enforcement matters.

For purposes of this request, "Walmart" includes any Walmart store, Walmart representative, Walmart employee, Walmart manager, Walmart asset protection or loss prevention personnel, Walmart corporate personnel, Walmart counsel, Walmart property representative, the Walmart location that was the subject of my complaint referenced below, or any phone number or contact known to the City or to Mr. Ankrum to be associated with Walmart.

For purposes of this request, "regulatory agency" includes OSHA, the Occupational Safety and Health Administration, Texas DSHS, the Texas Department of State Health Services, TCEQ, the Texas Commission on Environmental Quality, TDLR, the Texas Department of Licensing and Regulation, and any other federal, state, county, regional, or local regulatory, inspection, licensing, permitting, public health, environmental, workplace safety, fire safety, building safety, code enforcement, or enforcement agency contacted by or communicating with Mr. Ankrum in connection with Walmart related official business, complaints, inspections, permitting, code compliance, health, safety, environmental, building, occupancy, or enforcement matters.

This request includes, but is not limited to, responsive records associated with the cell phone number reflected in the attached **Exhibit A**, +1 [redacted], and any other cell phone number used by Mr. Ankrum for Walmart related City business communications or related regulatory agency communications.

For each responsive call or call log entry, please produce all available metadata that is not exempt from disclosure, including the date, time, call direction, duration, originating number, receiving number, displayed caller or contact name, account or device source, and any notation identifying the contact as Walmart, OSHA, DSHS, TCEQ, or another regulatory agency. I am requesting call log information and metadata, not the audio content of any call.

This request is limited to Walmart related official business calls and related regulatory agency calls. It is not intended to seek purely personal call activity unrelated to City business. If a record contains both responsive and nonresponsive information, please redact only the nonresponsive or confidential information and produce the remainder.

For context, the call reflected in **Exhibit A** occurred on July 18, 2025. **Exhibit A** shows an incoming call at 9:40 a.m. from +1 [redacted], displayed as John Ankrum, with a duration of one minute. That call was made to me in response to my complaint concerning Walmart. I am attaching **Exhibit A** to assist the City in identifying the relevant device, custodian, phone number, and official business context. I am providing this context only to help identify responsive records and custodians; I am not asking the City to answer questions or create new records.

Please search, at minimum, records maintained by or associated with:

1. John Ankrum, Building Official
2. Development Services, including Building and Development, Planning, and Code Compliance
3. The City Secretary's Office
4. The City Manager's Office
5. Any City department, official, or employee involved in Walmart related complaints, permitting, inspections, code enforcement, building matters, occupancy matters, development issues, health and safety issues, environmental issues, or communications
6. Any City records identifying Walmart related contacts or telephone numbers
7. Any City records identifying OSHA, DSHS, TCEQ, or other regulatory agency contacts or telephone numbers related to Walmart
8. Any City records identifying communications between Mr. Ankrum and regulatory personnel concerning Walmart related complaints, inspections, permitting, code compliance, health, safety, environmental, building, occupancy, or enforcement matters

Please preserve responsive records while this request is pending.

Please do not withhold responsive records merely because they are maintained on, generated from, or accessible through a personal cell phone, personal cellular account, or privately owned device. Texas Government Code § 552.002(a) defines public information to include information written, produced, collected, assembled, or maintained in connection with the transaction of official business, including information maintained by an individual officer or employee of a governmental body in the officer's or employee's official capacity that pertains to official business.

The Attorney General has recognized that official business information does not fall outside the Public Information Act merely because it is possessed by an individual official rather than by the governmental body as a whole. See Open Records Decision No. 635 (1995); Open Records Decision No. 425 (1985). ORD 635 further recognizes that information maintained on a privately owned medium and actually used in connection with the transaction of official business may be subject to the Act.

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The Attorney General applied that principle directly to personal cell phone records in Open Records Letter No. OR2019-14232 (2019). In that ruling, involving Fort Bend Independent School District, the Attorney General addressed phone records from personal cellular telephones and concluded that a governmental body may not circumvent the Public Information Act by conducting official public business in a private medium. The ruling concluded that, to the extent telephone calls were made in connection with the transaction of public business, the call log information was subject to the Act and had to be released unless an exception applied. That conclusion was later affirmed in Fort Bend Independent School District v. Paxton, No. 03-22-00052-CV, 2023 WL 4495224 (Tex. App., Austin, July 13, 2023).

The same principle is reflected in other Attorney General rulings involving personal devices used for public business, including Open Records Letter No. OR2009-10843 and Open Records Letter No. OR2013-07393, which recognized that personal cell phone records, text messages, or related records may be subject to the Public Information Act to the extent they relate to official governmental business.

If responsive public information is held by Mr. Ankrum on a personal device, personal cellular account, or other private medium, please treat him as a temporary custodian of public information and make reasonable efforts to obtain the responsive public information for processing under the Act. See Texas Government Code §§ 552.003(7), 552.004, 552.203(4), and 552.233. A current or former officer or employee who maintains public information on a privately owned device is required to preserve or transfer that public information as provided by law.

Please produce responsive records electronically by email if possible. If the City contends that any responsive information is confidential or excepted from disclosure, please release all reasonably segregable portions that are not exempt and cite each claimed exception. If the City seeks an Attorney General decision regarding any withheld information, please provide me a copy of the City's request for decision and written arguments as required by the Public Information Act.

If the City contends that no responsive records exist, or that responsive records are not in the City's possession, custody, or control, please confirm that in writing and state whether Mr. Ankrum was asked to search or provide responsive public information from the cell phone number reflected in Exhibit A.

Please notify me in advance if estimated charges will exceed $40.00 and provide an itemized cost estimate before incurring those charges.

With gratitude,

Kyle Moring
[redacted] | [redacted]

