Court USB production (August 28, 2026) · thread T20

Fw: Office of the Attorney General, Open Records Division ID# OR-25-034390-IC

1 message(s), 2025-10-22 · 2025-10-22. Public copy: personal contact details and excluded-subject material boxed.

1. 2025-10-22 20:18 Candias Webster · 4 att.

From:	Candias Webster <cwebster@mpcity.org>
To:	Austin Beck <abeck@dtrglaw.com>
Cc:	
Date:	2025-10-22 20:18:21.558259+00:00
Subject:	**Fw: Office of the Attorney General, Open Records Division ID# OR-25-034390-IC**
Attachments:	OR-25-034390-IC.pdf, Certification Form.pdf, Attachment 1.pdf, Attachment 2.pdf
USB file:	Fw Office of the Attorney General, Open Records Division ID# OR-25-034390-IC.msg

FYI

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4154
Cell: [redacted]
Fax: 903-577-1828

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From: OpenRecordsAssistance <OpenRecordsAssistance@oag.texas.gov>
Sent: Wednesday, October 22, 2025 2:49:42 PM
To: Candias Webster <cwebster@mpcity.org>
Subject: Office of the Attorney General, Open Records Division ID# OR-25-034390-IC

CAUTION: [EXTERNAL EMAIL]

Dear Ms. Webster:

The Office of the Attorney General (the OAG) has received a complaint from Kyle Moring alleging the City of Mount Pleasant has failed to respond appropriately to a request for information. The complaint was assigned ID# OR-25-034390-IC. Please see the attached documents regarding the complaint.

A response may be submitted by mail to P.O. Box 12548, Austin, Texas 78711 or submitted online at https://oag.my.site.com/OpenRecords/s/.

To submit a response through the online form, you must include the full complaint ID number provided above in order to submit your documentation.

Sincerely,

Education and Enforcement Section
Open Records Division

PLEASE NOTE: ORD does not respond to questions sent to this e-mail address. If you need further assistance, please contact the Open Government Hotline at 1-877-673-6839.

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 22, 2025

Ms. Candias Webster
Assistant City Manager/City Secretary
City of Mount Pleasant
501 N. Madison Avenue
Mount Pleasant, TX 75455

Dear Ms. Webster,

The Office of the Attorney General (the "OAG") has received a complaint from Kyle Moring alleging the City of Mount Pleasant (the "city") has failed to respond appropriately to a request for information. The complaint was assigned ID# OR-25-034390-IC.

The Public Information Act (the "Act"), chapter 552 of the Texas Government Code, generally requires a governmental body to release requested public information that it collects, assembles, maintains, or has right of access to, or to request a ruling from the OAG as to the applicability of exceptions to the Act. Our records do not indicate a request for an OAG ruling has been made in accordance with section 552.301 of the Act.

Although the OAG has civil enforcement authority under the Act, our office prefers to work with governmental bodies and requestors to resolve complaints informally. The easiest way to resolve this open records complaint is to release the requested information, provided the information is not confidential by law.

Please provide a written response to this letter within 10 business days. *See* 1 T.A.C. § 70.11(d)(3) (governmental body has a responsibility under the Act to promptly respond). A certification form is enclosed with this letter in order to expedite your response. You may use the form to certify: (i) the requested information has been or will be released to the requestor; (ii) the city has no information responsive to the request; or (iii) the city has requested or will request an attorney general's decision regarding the requested information. If the form is not applicable, you may provide a written response to this notification letter explaining how the city has complied with the Act. The written response may be sent to the address below or submitted online at https://oag.my.site.com/OpenRecords/s/.

If you have any questions regarding this letter, please contact the Education and Enforcement Section of the Open Records Division at (877) 673-6839 or (512) 936-6736 to discuss the resolution of this complaint. You will also find resources to assist you in complying with the Act at https://www.texasattorneygeneral.gov/open-government.

Thank you for your prompt attention to this matter.

Sincerely,

Open Records Division

Ref: ID# OR-25-034390-IC

c: Requestor

PUBLIC INFORMATION REQUEST CERTIFICATION

OAG ASSIGNED ID# OR-25-034390-IC

PLEASE SELECT **ONE** OF THE FOLLOWING:

☐	I certify the governmental body has made available to the requestor all existing responsive information that this governmental body owns, controls, or has a right of access to. The information was provided to the requestor on _____ via the following method (select one): If the information was not released to the requestor within 10 business days of receiving the request, please provide a copy of the notice provided to the requestor pursuant to section 552.221(d) of the Government Code.
☐	I certify the governmental body has supplied the requestor all existing responsive information for which the governmental body is not claiming an exception, and has requested an attorney general's decision regarding the responsive information the governmental body believes is excepted from disclosure. The ruling request was submitted to the Attorney General's Office on _____ via the following method (select one): The governmental body's internal reference number is _____.
☐	I certify the governmental body has conducted a good faith search of information that this governmental body owns, controls, or has a right of access to, and has found no such information that is responsive to the requestor's public information request. The requestor was notified the governmental body does not maintain the requested information on _____. Please provide a copy of the notice provided to the requestor.
☐	The information at issue was withheld pursuant to a previous determination. The requestor was notified the information was being withheld pursuant to a previous determination on _____. Please provide a copy of the notice provided to the requestor.
☐	None of the situations listed above apply. I have attached documentation explaining how the governmental body responded to the referenced request, including a timeline of the governmental body's response to the requestor.

Public Information Officer, or Authorized Representative: _____

_____	_____	_____
Signature	Title	Date

From: **Candias Webster** cwebster@mpcity.org
Subject: RE: Texas Public Information Act Request – Code Compliance Documentation for Walmart Store #131
Date: August 4, 2025 at 10:52 AM
To: [redacted]

CW

Thank you for getting back to me regarding my July 31, 2025 email. I would like to clarify which parts of that request are follow-ups to my earlier inquiry and which are new requests under the Texas Public Information Act.
1. Clarification of Prior Request – Complaints Involving Walmart

My July 31 email included a request to verify whether any additional complaints or service requests involving Walmart Store #131 were submitted to the City between July 18 and July 30, 2025. This portion of the message is not a new request, but rather a follow-up and clarification to my original Public Information Act request, in which I requested all complaints or code enforcement records involving Walmart, regardless of the complainant's identity.

If responsive anonymous complaints were omitted from the city's response, please confirm whether any such records exist. If they were withheld under an applicable exception to disclosure, I respectfully request the specific section(s) of the Government Code relied upon, as well as whether the City sought an Attorney General opinion pursuant to §552.301.

Mr. Moring,

To answer your follow-up email.

There have been no complaints made against Walmart other than open records requests made by you and the phone call you made.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4154
Cell: [redacted]
Fax: 903-577-1828

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From: [redacted] <[redacted]>
Sent: Friday, August 1, 2025 9:25 AM
To: Candias Webster <cwebster@mpcity.org>
Subject: Re: Texas Public Information Act Request – Code Compliance Documentation for

Subject: Re: Texas Public Information Act Request – Code Compliance Documentation for Walmart Store #131

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

Thank you for getting back to me regarding my July 31, 2025 email. I would like to clarify which parts of that request are follow-ups to my earlier inquiry and which are new requests under the Texas Public Information Act.
1. Clarification of Prior Request – Complaints Involving Walmart

My July 31 email included a request to verify whether any additional complaints or service requests involving Walmart Store #131 were submitted to the City between July 18 and July 30, 2025. This portion of the message is not a new request, but rather a follow-up and clarification to my original Public Information Act request, in which I requested all complaints or code enforcement records involving Walmart, regardless of the complainant's identity.

If responsive anonymous complaints were omitted from the city's response, please confirm whether any such records exist. If they were withheld under an applicable exception to disclosure, I respectfully request the specific section(s) of the Government Code relied upon, as well as whether the City sought an Attorney General opinion pursuant to §552.301.

2. New Public Information Act Requests

The July 31 message also included two new public information requests, which I acknowledge are separate from the prior complaint inquiry. These include:

- Records related to the inspection conducted on July 31, 2025, at Walmart Store #131, including notes, reports, photographs, and communications by city departments (Code Enforcement, Building Inspection, Fire, etc.).
- All commercial building permits issued by the City of Mount Pleasant between January 1, 2025, and the date of the request, including applications, project valuations, assessed fees, property addresses, and applicant/project descriptions.

Please consider these two requests as newly submitted as of July 31, 2025, with the applicable ten business day response period beginning on that date.

Thank you again for your assistance and attention to these requests. Please let me know if any portion requires clarification or narrowing.

With gratitude,

Kyle Moring

[redacted]

On Aug 1, 2025, at 7:11 AM, Candias Webster <cwebster@mpcity.org> wrote:

wrote:

Good morning,

This is considered a new request, and you will receive a response within 10 business days.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4154
Cell: [redacted]
Fax: 903-577-1828

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From: [redacted] <[redacted]>
Sent: Thursday, July 31, 2025 4:13 PM
To: Candias Webster <cwebster@mpcity.org>
Subject: Re: Texas Public Information Act Request – Code Compliance Documentation for Walmart Store #131

CAUTION: [EXTERNAL EMAIL]

Ms. Webster,

I appreciate your prompt response. This correspondence serves as a formal follow-up to my previous request submitted pursuant to the Texas Public Information Act (Texas Government Code Chapter 552). I am writing to verify and clarify the scope of responsive records provided, and to request additional documents as outlined below.

1. Verification of Prior Request: Complaints Involving Walmart

In my earlier request, I asked for all complaints or code enforcement issues filed with the City of Mount Pleasant involving Walmart during the following timeframe: July 18, 2025 – July 30, 2025. I am now formally requesting confirmation that, based on a comprehensive and good-faith search of city records, no additional complaints or service requests exist—including but not limited to those submitted anonymously through the city's online complaint portal.

If any records were withheld or redacted, please cite the applicable Public Information Act exception(s) and whether a Texas Attorney General opinion was sought pursuant to §552.301.

2. Inspection Conducted Today at Walmart Store #131

I respectfully request a copy of the inspection report, notes, photographs, and any associated communications or documentation generated as a result of the inspection conducted on July 31, 2025, at Walmart Store #131, including records prepared by code enforcement, building inspection, fire, or other relevant city departments.

3. Commercial Building Permits Issued Since January 1, 2025

Pursuant to the same Act, I am requesting copies of all commercial building permits issued by the City of Mount Pleasant between January 1, 2025, and the date of this request. This includes:

- Permit applications
- Project valuations
- Fees assessed and paid
- Property addresses
- Applicant names and project descriptions

Please include any amendments, revisions, or supporting documents attached to the original applications.

If the volume of records is substantial, I am open to inspecting them in person or receiving them electronically in batches. If any portion of this request is unclear or overly burdensome, please notify me

promptly so we may clarify or narrow the scope as appropriate.

Thank you for your time and attention to this matter. I look forward to your response within the timelines prescribed under Chapter 552 of the Texas Government Code.

With gratitude,

Kyle Moring
[redacted]
[redacted]

On Jul 31, 2025, at 2:33 PM, Candias Webster <cwebster@mpcity.org> wrote:

Kyle,
Please find attached the requested documents. Also, the follow-up inspection will be done by the end of the week. We had regular inspections that needed to be completed by month end.

This request is closed as of 07/31/2025

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4154
Cell: [redacted]
Fax: 903-577-1828

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other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material from your computer.

From: [redacted] <[redacted]>
Sent: Wednesday, July 30, 2025 8:59 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Lynn Barrett <LBarrett@mpcity.org>
Subject: Texas Public Information Act Request – Code Compliance Documentation for Walmart Store #131

CAUTION: [EXTERNAL EMAIL]

Good evening,

Pursuant to the Texas Public Information Act, Texas Government Code Chapter 552, I respectfully request access to and copies of any records, communications, inspection reports, citations, photographs, or written determinations issued by the City of Mount Pleasant—including those from the Building Department or Code Enforcement Division—regarding the code compliance status of Walmart Store #131, located at 2311 S. Jefferson Avenue, Mount Pleasant, TX.

Specifically, I am requesting:

1. Any records, notices, or documentation relating to the compliance deadline of July 28, 2025, including whether a follow-up inspection was performed and whether Walmart Store #131 was found in compliance;

2. Any inspection reports, citations, or enforcement actions involving observed safety hazards at the store, including falling roof debris, construction-related safety issues, food contamination, unsanitary concerns, or exposed overhead mechanical or electrical risks;

3. All communications between city departments, contractors, or Walmart representatives concerning site safety, compliance expectations, or corrective measures;

4. A record or summary of any complaints filed with the City of Mount Pleasant between July 18 and July 30, 2025, that specifically reference Walmart Store #131—including the nature of each complaint and the department(s) to which it was referred.

5. Additionally, I respectfully request a copy of the health inspection report conducted on or around July 9, 2025 at Walmart Store #131 by any city or county health official. This includes any food safety evaluations, environmental observations, violations cited, corrective action notes, or correspondence relating to the July 9th visit.

If any portion of this request is exempt from disclosure, please identify the legal basis for the exemption in accordance with §552.301 of the Texas Government Code. I prefer that documents be provided in electronic format via email, if possible.

Thank you for your attention to this request. I look forward to your timely response in accordance with the timelines established by state law.

With gratitude,

Kyle Moring

[redacted]

[redacted]

<Walmart 7-18-25.pdf><Walmart 7-9-25.pdf>

The City of Mount Pleasant
501 North Madison
Mount Pleasant, TX 75455-3650 | Visit Official Website (https://mpcity.net/)

() | The City of Mount Pleasant (/mptx) | Code Enforcement Case

Code Enforcement Case

Please fill out the form below and click "Submit" at the bottom of the screen.

Thank you for submitting this information. We will follow-up on this as soon as possible.

My Health Department

Copyright © 2025 My Health Department. All rights reserved.

The City of Mount Pleasant
501 North Madison
Mount Pleasant, TX 75455-3650 | Visit Official Website

Code Enforcement Case

Please fill out the form below and click "Submit" at the bottom of the screen.

Thank you for submitting this information. We will follow-up on this as soon as possible.

My Health Department

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Service Request: OR-25-034390-IC (acknowledged Aug 4, 2025)

Summary for OAG

I seek corrective action regarding: (1) false "no-records" statements about late-July complaints (7/25–7/26) and another phone complaint; (2) the absence of the complete 8/20/25 Walmart inspection case file; and (3) misdating my July 31, 2025 request. The City's own July 2025 Code Enforcement report reflects two food-service complaints, contradicting the City's denial. Please compel full disclosure and require portal exports/audit logs.

Factual basis

- **Complaint opened/received by OAG (OR-25-034390-IC)**
- **City denial of other complaints:** "There have been no complaints… other than [yours] and the phone call you made."
- July report shows 2 food-service complaints (discrepancy) (City's Code Enforcement Monthly Report, July 2025)
- 8/20/25 file not produced; City asserts no additional responsive information
- Misdated request: City counsel recasts the request as "received 8/13/25," despite the 7/31/25 request/closure and 8/2–8/4 follow-ups

Requested OAG action

1. Order production of all complaint-intake and case materials (incl. late-July complaints and the complete 8/20/25 file), and require portal exports/audit logs to document the searches performed.
2. Direct the City to correct the timeline to reflect the 7/31/25 request date for all processing deadlines.
3. If the City still claims no records, require a sworn custodian affidavit describing systems searched, terms used, and third-party portals queried.

Prior filings on this Service Request

- Original Complaint (Aug 4, 2025)
- Supplement (Aug 20, 2025) requesting portal exports or §552.302 application
- Supplement (Aug 27, 2025) noting Bluebeam/PDFKit "born-digital" metadata and missing 8/20/25 report