



Fourth Court of Appeals
San Antonio, Texas

June 29, 2020

No. 04-20-00202-CV

MUSCULOSKELETAL IMAGING CONSULTANTS, LLC,
Appellant

v.

JAR ENTERPRISES, INC. d/b/a Premier Medical Imaging,
Appellee

From the 166th Judicial District Court, Bexar County, Texas
Trial Court No. 2019-CI-12957
Honorable Cynthia Marie Chapa, Judge Presiding

O R D E R

This is an appeal from the trial court's order sealing the record. Appellant and Appellee have filed a joint motion seeking access to the sealed appellate record so that they may prepare their appellate briefs. They state that the clerk's and reporter's records were filed in this Court under seal pursuant to the trial court's order. While the reporter's record was filed under seal in this Court, the clerk's record was not. Therefore, we ORDER the Clerk of this Court to seal the clerk's record in this appeal.

The parties' joint motion is GRANTED. The Clerk of this Court is directed to unseal the appellate record for the sole purpose of providing a copy to counsel for appellant and appellee on CD-ROM. All parties and their attorneys are ORDERED not to share the contents of the sealed record with any person except to the extent necessary to prepare their respective briefs.

In the event appellant or appellee reference the sealed record in their respective briefs, they are ORDERED to (1) file their respective briefs in paper form only by mail in compliance with Texas Rule of Appellate Procedure 9.2(b), (2) with a cover letter informing the Clerk of this Court that the brief references the sealed record. *See* TEX. R. APP. P. 9.2(c)(3) (exception to electronic filing for documents under seal). Finally, in the event this Court affirms the trial court's order sealing the record, all parties and their attorneys are ORDERED to destroy the appellate record in their possession unless a petition for review is filed in the Texas Supreme Court. If a petition for review is filed and denied, or if the Texas Supreme Court grants the petition for review but affirms the trial court's order sealing the records, all parties and their attorneys are ORDERED to destroy the appellate record in their possession.

Liza A. Rodriguez
Liza A. Rodriguez, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 29th day of June, 2020.



Michael A. Cruz
Michael A. Cruz, Clerk of Court