

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 25-007

RESPONDENT: County Court at Law Nos. 1, 2, 3, and 4, Brazoria County

DATE: May 23, 2025

SPECIAL COMMITTEE: Judge David L. Evans, Chairman; Judge Robert Trapp; Judge Sid Harle; Judge Missy Medary; Judge Alfonso Charles

Petitioner submitted a public information request form to Brazoria County, which requested “a summary of the number of en pro se applicants who were denied by the Brazoria County Civil Probate Courts to become executors because they were appearing without attorneys.” Petitioner’s request form identified the “probate courts” as the department with the records in question. In a reply to Petitioner’s request, and on behalf of Respondent courts, the Brazoria County District Attorney’s Office informed Petitioner that the records in question related to records maintained in the Brazoria County Clerk’s Office. The District Attorney provided Petitioner with information on how to request court case information from the County Clerk and informed Petitioner that it could appeal the District Attorney’s determination under Rule 12. Petitioner timely filed an appeal. In its appeal materials, Respondent informed the special committee that it did not have records responsive to Petitioner’s request.

Respondent has informed the special committee that Respondent does not have any documents responsive to Petitioner’s request. If a requested record does not exist, a respondent’s inability to produce a requested record is not a denial of access to judicial records under Rule 12. *See* Rule 12 Dec. Nos. 17-015, 23-003, 23-006, and 23-010. Accordingly, the petition is denied.