

Before the Presiding Judges of the Administrative Judicial Regions
Per Curiam Rule 12 Decision

APPEAL NO.: 26-028

RESPONDENT: 419th District Court, Travis County

DATE: October 19, 2026

SPECIAL COMMITTEE: Judge David Evans, Chair; Judge Ray Wheless; Judge Robert Trapp; Judge Kirsten Cohoon; Judge Susan Brown

On June 11, 2026, Petitioner, a party to a certain case pending in Respondent’s court, requested “the immediate preservation of any and all security camera recordings, surveillance footage, and related video records associated with the courtroom and surrounding areas during the dates of trial[.]” Petitioner’s letter identified specific locations and times for the video recordings, and explained that its request was necessary “because the recordings may contain evidence relevant to ongoing litigation, post-trial proceedings, appellate review, and potential matters that occurred inside the courtroom.” To the extent that the records existed, Petitioner then requested copies of all the responsive video records. On June 26, 2026, Counsel for Respondent informed Petitioner that there were not any records responsive to the request. Thereafter Petitioner submitted a follow-up notifying Respondent that the request “was intended primarily as a litigation-preservation request” and demanding that the proper custodian of the records be identified. Having not received a response to the follow-up, Petitioner filed a petition for review. After submitting the petition, Petitioner submitted additional appeal materials showing that counsel for Respondent informed Petitioner that any video recording in question was in the custody of the Travis County Office of Security and Protection. Respondent did not reply to the petition.

We address Petitioner’s request letter and follow-up message in turn. In its June 26 letter to Petitioner, Respondent informed Petitioner that it lacked records responsive to the 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, 23-010, 25-007. And in Petitioner’s follow-up message to Respondent, Petitioner did not request records; rather, it asked for the identification of a records custodian. Petitioner’s appeal materials show that Respondent informed Petitioner that any video recording in question was in the custody of the Travis County Office of Security and Protection. With Rule 12 not implicated in the initial request or the follow-up, there are no Rule 12 issue to resolve in this appeal.

Accordingly, the appeal is dismissed.