Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 26-034

RESPONDENT: Criminal District Court No. 2, Tarrant County

DATE: November 19, 2026

SPECIAL COMMITTEE: Judge Missy Medary, Chair; Judge Dib Waldrip; Judge Sid Harle; Judge Ana Estevez; Judge Susan Brown

On August 18, 2026, Petitioner requested from Respondent various records "for computers, scanners, multifunction printers, or other document-processing devices assigned to or regularly used by Criminal District Court No. 2 or its staff[.]" Petitioner transmitted its request via email to Respondent's court coordinator, addressed to the Respondent. Having not received a reply to its request, Petitioner filed an appeal. In its petition for review, Petitioner complained that the FAQ on Respondent's website "directs inquiries concerning motions and other court business to the court coordinator and says unsolicited correspondence to [Respondent] will not be read or acknowledged unless requested and expected." Petitioner then reasoned that Respondent "cannot direct correspondence through its coordinator and then rely on unexplained internal inaction to defeat access." Petitioner requested expedited review of its petition. In a reply to the petition, Respondent, through counsel, argued that it was not under any obligation to reply because Petitioner emailed the request to Respondent's court coordinator. Nonetheless, Respondent informed the special committee, Respondent did not maintain any judicial records responsive to the request and Respondent was not required by Rule 12 to create records in response to the request.

As an initial matter, Petitioner's request for an expedited decision is denied. Although Respondent claims it is not under any obligation to respond to the request because it was not sent to Respondent, out of administrative efficiency we address the underlying issues in the petition to decisively resolve the appeal. Respondent has informed the special committee that it lacks 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 and the Rule 12 appeals process does not apply to the request. *See*, *e.g.*, Rule 12 Dec. Nos. 17-015, 17-020, 23-003, 23-006, 23-010, 25-007, 26-003, 26-004.

Accordingly, because the Rule 12 appeals process does not apply to the records in question, the appeal is dismissed.