

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 26-002

RESPONDENT: Presiding Judge, First Administrative Judicial Region

DATE: March 24, 2026

SPECIAL COMMITTEE: Judge David L. Evans, Chairman; Judge Dib Waldrip; Judge Missy Medary; Judge Kirsten Cohoon; Judge Alfonso Charles

On January 10, 2026, Petitioner sent to the office manager for the Respondent a request for the following:

- “Any and all emails, memoranda, or electronic communications sent by [Respondent] to any employee, official, or director of the Office of Court Administration (OCA) from January 1, 2021, to the present, that reference or concern [Petitioner];
- “Any ‘Administrative Alerts,’ ‘Judicial Warning Lists,’ or ‘Flagged Litigant’ notifications issued by the First Administrative Judicial Region that include [Petitioner’s name]”; and
- “Any communications sent by the First Administrative Judicial Region to the clerks or judges of the Collin County Justice of the Peace Courts regarding the processing of filings or the administrative status of [Petitioner].”

On January 27, Petitioner filed a petition for review on the grounds that it had received a “de facto” denial of its request because it had not received a reply from Respondent. On January 29, the Respondent emailed Petitioner to state it had learned through a court filing that Petitioner had submitted a Rule 12 request for records. Respondent further stated it had not received the request and that it would immediately respond to the request if sent to Respondent’s email address. After Petitioner resubmitted the request, Respondent informed Petitioner it did not have any records responsive to the request. Respondent also noted that Petitioner had directed the request to Respondent’s office manager rather than Respondent, and that it had not seen the request until January 29. In a reply email to Respondent, Petitioner challenged claim that it lacked records responsive to the request. Respondent has not submitted a reply to the petition for review.

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. Respondent informed Petitioner that it lacked records responsive to the request. Because Respondent did not submit a reply to the petition, we direct the Respondent to confirm in writing to the special committee and the Petitioner that the Respondent does not have records responsive to the request. If the Respondent confirms it does not have responsive judicial records, the petition is denied and the appeal is dismissed. If Respondent confirms it has responsive judicial records that remain unreleased, Respondent should release them without delay or, alternatively, provide to the special committee, within 10 working days of the date of this opinion, any objection to records production.