

In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana

No. 06-15-00148-CR

MICHAEL PAUL HENDRIX, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 5th District Court
Cass County, Texas
Trial Court No. 2014-F-00198

Before Morriss, C.J., Moseley and Burgess, JJ.

O R D E R

Our review of the clerk's record and the reporter's record in this case indicates that they contain "sensitive data" as that phrase is defined in Rule 9.10 of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 9.10(a). Sensitive data includes "a driver's license number, passport number, social security number, tax identification number or similar government-issued personal identification number." TEX. R. APP. P. 9.10(a)(1). Sensitive data also includes "a birth date, a home address, and the name of any person who was a minor at the time the offense was committed." TEX. R. APP. P. 9.10(a)(3). The clerk's record contains the appellant's social security number. Volumes 2, 3, and 4 of the reporter's record and volumes 1, 3, and 4 of the supplemental reporter's record contain the names of persons who were minors at the time the offense was committed. Volume 5 of the reporter's record contains a photograph of a child who was a minor at the time the offense was committed—thus clearly revealing the child's identity—which is designed to be protected by the Rule. Rule 9.10(b) states, "Unless a court orders otherwise, an electronic or paper filing with the court, including the contents of any appendices, must not contain sensitive data." TEX. R. APP. P. 9.10(b).

Rule 9.10(g) provides, "A court may also order that a document be filed under seal in paper form or electronic form, without redaction." TEX. R. APP. P. 9.10(g). Therefore, because the clerk's record and the above-listed volumes of the reporter's record contain sensitive data, we order the clerk of this Court or her appointee, in accordance with Rule 9.10(g), to seal the electronically filed clerk's record and the above-listed volumes of the reporter's record in this case.

IT IS SO ORDERED.

BY THE COURT

Date: March 1, 2017