



Re: Record request

1 message

Wed, Oct 2, 2019 at 9:46 AM

To: Steve Ables <sables@ktc.com>

Cc: Mena Ramon <Mena.Ramon@txcourts.gov>, "olen.underwood@mctx.org" <olen.underwood@mctx.org>, Brenda Wilburn <presidingjudge3@wilco.org>, "sid.harle@bexar.org" <sid.harle@bexar.org>, "Missy.medary@nuecesco.com" <Missy.medary@nuecesco.com>, "drucker@mcounty.com" <drucker@mcounty.com>, Judge David L Evans <DLEvans2@tarrantcounty.com>, "kgmoore@co.lubbock.tx.us" <kgmoore@co.lubbock.tx.us>, Judge Ray Wheless <rwheless@co.collin.tx.us>, "Alfonso Charles' (Alfonso.Charles@co.gregg.tx.us)" <Alfonso.Charles@co.gregg.tx.us>, Shelly Ortiz <Shelly.Ortiz@txcourts.gov>

Really! Sorry what's she going through. Good one! She has ignored a slew of Rule 12 procedures. For example RJAC 12.9(e), as she never sent a copy of my appeal to Harris County as required by 12.9(d) thus I never received a response per 12.9(e). Pursuant to 12.9(f), I was suppose to receive a copy of the committee members I never did. Why is this Steve? Steve, does she have to follow Rule 12? Ms. Ramon, since Steve seems to disagree, I am requesting the following records with regards to my appeal: the notices you sent to me per 12.9(e) and 12.9(f). The only "above call of duty" she has done is to use Rule 12 as her sword and shield and to make up excuses as to why she can't do or provide something. If she would simply, process my appeal under the directive we would be done with each other.

On Wednesday, October 2, 2019, Steve Ables <sables@ktc.com> wrote:

Mena, I am so sorry you are having to deal with this. You have definitely gone beyond the call of duty. Steve

Sent from my iPad

On Oct 2, 2019, at 9:09 AM, .

Ms. Ramon,

My appeal was neither denied nor granted. Per your attachment, it states the following:

"Because the records at issue in this appeal are not judicial records under Rule 12, we can neither grant the petition in whole or in part nor sustain the denial of access to the requested records."

As my dealing with you in the past, you have ignored a slew of Rule 12 procedures. You have a habit of picking and choosing which rules apply based on your hidden agenda. I do not know why you have gone above and beyond to deny me my rights to public case records. Again, you say my denial of case records doesn't fall under Rule 12 but you say my Rule 12 denial is final. How can my denial be final when it doesn't fall under Rule 12? You talk out of both sides of your mouth. You say that the Regional Presiding "Judges" will not address the "appeal" you submitted in your September 24, 2019 email . I am requesting a copy of their denial.

Again, I am requesting that you process my denial under the directive for case records.

Regards,

On Wed, Oct 2, 2019 at 6:43 AM Mena Ramon <Mena.Ramon@txcourts.gov> wrote:

This response is made under the direction of the Regional Presiding Judges copied on this email.

The Regional Presiding Judges will not address the "appeal" you submitted in your September 24, 2019 email regarding the Harris County District Clerk's denial of your May 2017 records request because that matter was reviewed by a special committee in Rule 12 Appeal No. 17-010 and a decision concluding that they did not have authority in the matter was issued on September 6, 2017. A copy of the decision is attached. The fact that the Harris County District Clerk failed to respond to your request rather than providing you a written denial does not alter the result in that decision. (When more than 14 days have passed without response from a records custodian and an appeal is filed, the Regional Presiding Judges consider the lack of response a denial. For example, see Rule 12 Decision Nos. 02-003 and 12-001 available from this link: <https://www.txcourts.gov/open-records-policy/>).

Additionally, as stated above and in Rule 12 Decision No. 17-010, the records you requested from the Harris County District Clerk are not records that are subject to Rule 12 and the special committee in your 2017 appeal concluded that it did not have the authority to address your appeal. Re-reviewing your appeal would not change this outcome.

Lastly, in response to your September 29, 2019 email requesting a copy of the letter sent to the Petitioner and Respondent cc'ing the Special Committee for Review of Petitions of Access to Case Records, because your "appeal" will not be processed for the reasons stated above, a letter has not been sent and therefore no record responsive to your request exists.

We regret that we are unable to assist you any further in this matter.

Sincerely,

Mena Ramon

General Counsel

Office of Court Administration

Sent: Tuesday, September 24, 2019 11:36 PM

To: Mena Ramon <Mena.Ramon@txcourts.gov>

Cc: olen.underwood@mctx.org; Brenda Wilburn <presidingjudge3@wilco.org>; sid.harle@bexar.org; missy.medary@nueces.com; Stephen Ables <sables@co.kerr.tx.us>; drucker@mcounty.com; Judge David L Evans <DLEvans2@TarrantCounty.com>; kgmoore@co.lubbock.tx.us; mmurphy@firstadmin.com; Shelly Ortiz <Shelly.Ortiz@txcourts.gov>; Nathan Hecht <Nathan.Hecht@txcourts.gov>

Subject: Fwd: Record request

Ms. Ramon,

Thank you for providing me with the information. Harris County never provided a "30 Day" denial letter thus my court records request has not been denied as it just has been ignored. I am filing an appeal since the records request had neither been denied nor fulfilled. Based on your attachment of procedures, I am requesting that you process my appeal per your process. If you cannot, please advise me as to why.

Regards,

Please note, I no longer live in Tomball thus the address is not correct.

----- Forwarded message -----

From: **Mena Ramon** <Mena.Ramon@txcourts.gov>

Date: Tue, Sep 24, 2019 at 9:10 AM

Subject: RE: Record request

Cc: Stephen Ables <sables@co.kerr.tx.us>, Judge Rucker <drucker@mcounty.com>, Shelly Ortiz <Shelly.Ortiz@txcourts.gov>

Your request for any document(s) in my possession that have the work email addresses of the regional presiding judges you have listed in your request is overly broad. If you are seeking their email addresses, I have provided them below. If you still desire other records, please narrow your request so that I may determine what records you seek.

Attached is an internal document created by OCA staff regarding procedures for Rule 12 appeals. It includes a paragraph regarding case records appeals. Also attached are the dismissal orders for the Rule 12 appeals involving case records that have been dismissed since the October 2017 directive was issued - Rule 12 Appeal Nos. 17-022, 18-002, and 18-003.

Sincerely,

Mena Ramon

Judge Olen Underwood – olen.underwood@mctx.org

Judge Billy Ray Stubblefield – presidingjudge3@wilco.org

Judge Sid Harle – sid.harle@bexar.org

Judge Missy Medary – missy.medary@nueces.com

Judge Stephen B. Ables – sables@co.kerr.tx.us

Judge Dean Rucker – drucker@mcounty.com

Judge David L. Evans – dlevans2@tarrantcounty.com

Judge Kelly G. Moore – kgmoore@co.lubbock.tx.us

Judge Mary Murphy – mmurphy@firstadmin.com (Judge Murphy is no longer serving as a regional presiding judge. This is the email address she used during her tenure as presiding judge.)

Sent: Sunday, September 15, 2019 5:48 PM

To: Mena Ramon <Mena.Ramon@txcourts.gov>

Subject: Record request

Ms. Ramon

I am requesting any document(s) in your possession that have anywhere on the document the work email addresses for the following people:

Judge Mary Murphy, Judge Olen Underwood, Judge Billy Ray Stubblefield, Judge Sid Harle, Judge Missy Medary, Judge Stephen B. Ables, Judge Dean Rucker, Judge David L. Evans, Judge Kelly G. Moore

Further, I am requesting any documents in your possession that list any procedures on how you process requests for the directive-for-case-records-10-13-17.pdf (This is the name of the file from your website). I am also requesting any decisions processed under this directive from the time it was issued until today.

Regards,