

**COURT OF APPEALS OF TEXAS, SIXTH APPELLATE DISTRICT AT
TEXARKANA**

Kelly Dwayne Brown v. State

No. 06-18-00151-CR · No. No. 06-18-00151-CR · Decided February 5, 2019

SUMMARY

The Texas Court of Appeals for the Sixth District at Texarkana ordered volume four of the reporter's record sealed because it contained a social security number constituting sensitive data under Texas Rule of Appellate Procedure 9.10. The order was issued in the criminal appeal of Kelly Dwayne Brown from Marion County.

OPINION

PER CURIAM.

In The Court of Appeals Sixth Appellate District of Texas at Texarkana No. 06-18-00151-CR KELLY DWAYNE BROWN, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 276th District Court Marion County, Texas Trial Court No. F14348 Before Morriss, C.J., Burgess and Stevens, JJ. ORDER Our review of the court reporter's record in this case indicates that it contains "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). Volume four of the reporter's record includes a social security number. 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 volume four of the reporter's record contains sensitive data, we order the clerk of this Court or her appointee, in accordance with Rule 9.10(g), to seal the electronically filed volume four of the reporter's record in this case.

IT IS SO ORDERED. BY THE COURT Date: February 5, 2019 2