

FILED
NACOGDOCHES COUNTY
TEXAS
2026 SEP 15 AM 10:23

**IN THE 145TH AND 420TH JUDICIAL DISTRICT COURTS
NACOGDOCHES COUNTY, TEXAS**

DISTRICT CLERK

**JOINT STANDING ORDER FOR DISCOVERY, DISCLOSURE, AND PROTECTION
OF CRIMINAL HISTORY RECORD INFORMATION; PROTECTED HEALTH
INFORMATION; PRESENTENCE INVESTIGATION REPORTS; AND COMMUNITY
SUPERVISION AND CORRECTIONS DEPARTMENT CASE RECORDS IN FELONY
CRIMINAL CASES**

The 145th and 420th Judicial District Courts of Nacogdoches County, Texas, enter this Joint Standing Order to facilitate the lawful exchange, disclosure, use, and protection of discoverable information in felony criminal cases under Article 39.14 of the Texas Code of Criminal Procedure and other applicable law. This Order applies to felony criminal cases filed in either Court and remains subject to any case-specific order entered by the presiding judge.

IT IS THEREFORE ORDERED that the following provisions govern the categories of information described below:

I. CRIMINAL HISTORY RECORD INFORMATION

To comply with Article 39.14 of the Texas Code of Criminal Procedure, the Courts authorize the Nacogdoches County District Attorney's Office to disclose to the attorney of record for a defendant in a felony case criminal history record information concerning the defendant or any potential witness when that information is contained in the District Attorney's case file and is discoverable or otherwise required to be disclosed by law. Disclosure pursuant to this Order is authorized by Texas Government Code § 411.084(a)(2), which permits disclosure to the extent directed by court order.

An attorney receiving criminal history record information under this Order shall comply with Chapter 411 of the Texas Government Code, Article 39.14 of the Texas Code of Criminal Procedure, and all other applicable federal and state restrictions governing the use, safeguarding, disclosure, and dissemination of such information. The information may be used only for purposes of representing the defendant in the criminal case in which it is disclosed and may not be disclosed to an unauthorized person.

Nothing in this Order requires the Nacogdoches County District Attorney's Office to conduct any additional investigation or inquiry concerning criminal history record information unless further ordered by the Court or otherwise required by law.

II. PROTECTED HEALTH INFORMATION AND MEDICAL RECORDS

To comply with Article 39.14 of the Texas Code of Criminal Procedure, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and applicable federal privacy regulations, including 45 C.F.R. Parts 160 and 164, the Courts authorize the Nacogdoches County District Attorney's Office to disclose to the attorney of record for a defendant in a felony case medical records and protected health information contained in the District Attorney's case file when the information relates to the case and is discoverable or otherwise required to be disclosed by law.

This Order is intended to constitute a court order authorizing disclosure for purposes of 45 C.F.R. § 164.512(e)(1)(i), subject to the limitations stated herein. Any person receiving medical records or protected health information under this Order shall comply with HIPAA and its implementing regulations, the Texas Medical Records Privacy Act, Chapter 181 of the Texas Health and Safety Code, Article 39.14 of the Texas Code of Criminal Procedure, and all other

applicable law concerning the use, safeguarding, disclosure, and dissemination of protected health information.

Protected health information disclosed under this Order shall be used solely for the prosecution or defense of the criminal case in which it is disclosed and shall not be further disclosed except as permitted by law or further order of the Court. Nothing in this Order requires the Nacogdoches County District Attorney's Office to conduct any additional investigation or inquiry concerning protected health information unless further ordered by the Court or otherwise required by law.

III. PRESENTENCE INVESTIGATION REPORTS

Presentence investigation reports and postsentence reports are confidential and are not public records except as provided by law. See Tex. Code Crim. Proc. art. 42A.256. Unless the defendant waives the statutory period, the judge shall permit the defendant or the defendant's attorney to read the presentence investigation report at least 48 hours before sentencing, as required by Article 42A.255 of the Texas Code of Criminal Procedure. The attorney for the State shall also be permitted access as provided by Article 42A.255(c).

Counsel for the State and counsel for the defendant may print or retain one copy of the presentence investigation report for their respective case files, subject to this Order. Defense counsel shall review the report with the defendant in a timely manner but shall not provide the defendant, or any other unauthorized person, with a paper or electronic copy of the report.

Each attorney receiving a presentence investigation report shall safeguard it from unauthorized access and shall comply with Articles 39.14, 42A.255, and 42A.256 of the Texas Code of Criminal Procedure and any other applicable confidentiality requirement. The conclusion of the criminal proceeding does not terminate the obligations imposed by this Order upon the defendant, counsel, or any other person granted access to the report.

IV. NACOGDOCHES COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT CASE RECORDS

The Nacogdoches County Community Supervision and Corrections Department (the "Department") supervises persons placed on community supervision by the 145th and 420th Judicial District Courts and maintains case records as required by 37 Texas Administrative Code § 163.67(a). Under § 163.67(b), those case records are confidential and may be released only under circumstances authorized by law or as directed by the Court.

The Courts direct that case records maintained and produced by the Department may be released to the Nacogdoches County District Attorney's Office for the investigation and prosecution of motions to revoke community supervision and motions to adjudicate guilt, and to the attorney representing the person who is the subject of such a motion. The Department may release the records electronically through a reasonably secure method.

An attorney receiving Department case records under this Order shall comply with Article 39.14 of the Texas Code of Criminal Procedure and all other applicable law governing the use and dissemination of confidential information. The attorney shall reasonably safeguard the records and shall not disclose them to an unauthorized person.

V. GENERAL PROVISIONS

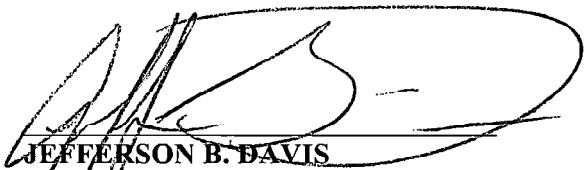
This Order does not authorize disclosure of information that is prohibited from disclosure by controlling federal or state law, nor does it supersede a more restrictive statute, rule, privilege,

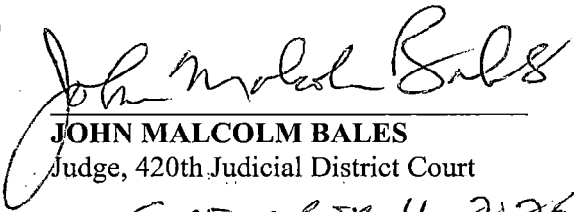
or case-specific protective order. A party may apply to the Court for additional protection, clarification, or authorization when the nature of particular information so requires.

A violation of this Order may subject the violator to contempt proceedings, sanctions authorized by law, referral to appropriate disciplinary authorities, or any other remedy within the Court's authority.

This Joint Standing Order takes effect upon signature by both judges and remains in effect until amended, superseded, or rescinded. It applies prospectively to all felony criminal cases pending on or filed after its effective date, except to the extent a presiding judge orders otherwise in a particular case.

SIGNED AND ENTERED on the date of the last signature below.


JEFFERSON B. DAVIS
Judge, 145th Judicial District Court
Date: September 4, 2026


JOHN MALCOLM BALES
Judge, 420th Judicial District Court
Date: SEPTEMBER 4, 2026