

FILED

CAUSE NO. 18-12-83805-A

2019 JAN -4 PH 1:28

STATE OF TEXAS

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IN THE DISTRICT COURT
City of Victoria
377TH JUDICIAL DISTRICT
VICTORIA COUNTY, TEXAS

v.

JOYCE CAVAZOS DEAN

VICTORIA COUNTY, TEXAS

**ORDER GRANTING
MOTION FOR PROTECTIVE ORDER AND RULE 21(B) MOTION TO
ABBREVIATE TIME FOR NOTICE AND HEARING
AND NOTICE OF HEARING**

Before this Court is Victoria County's Motion for Protective Order and to Abbreviate Time for Notice and Hearing in this matter. The Court has considered the County's Rule 21(b) Motion to proceed with the relief requested in its Motion for Protective Order without the requisite notice of hearing, and finding that there is an emergency need for the relief requested therein which would be frustrated if such notice of hearing was required, such motion is GRANTED. The Court has also considered the Motion for Protective Order and the relief requested therein, and based on such pleading, finds that such motion should be GRANTED.

The Court FINDS that the computer equipment, electronic equipment, and electronic information belonging to Victoria County and seized by the Victoria County Sheriff's Office as specifically identified in the Return and Inventory submitted on December 19, 2018, including the listed items of 1) Dell laptop in black zippered case, 2) 2 pen drives from desk drawer, 3) Dell all in one CPU/monitor, 4) Digital Email Data Base File Copy of Joyce Dean, and 5) the iPhone in case and iPad in floral case belonging to Joyce Dean and containing the means to access County emails (the "Property"), likely contains and/or provides access to confidential and privileged

information, including information protected by the attorney-client privilege, and confidential information of employees of Victoria County (as those terms are defined under 29 C.F.R. 825.500(g), 42 C.F.R. 1630.14(c)(1), 42 U.S.C. 12112(d)(3)(B); Tex. Bus. & Comm. Code § 521.002(a)(1), (2); and Texas Rule of Civil Procedure 192.6(b)). The Court further finds that such information should not be provided to or examined by any person or party except as may be specifically authorized by further order of this Court. The Court further finds that the nature of the above-listed information and the possibility of outside review or dissemination of such information at any time presents an emergency. The Court further observes that the search warrant under which the Property was seized has been SUPPRESSED by Order of this Court on December 28, 2018.

The Court therefore enters this PROTECTIVE ORDER as follows:

With respect to the Property, all parties in possession, custody, or control of the Property, including the Victoria County Sheriff's Office, Sheriff T. Michael O'Connor, and all employees thereof, are hereby ORDERED to refrain from any examination, search, review, reading, or copying any and all information contained in or accessible within or through the Property until further order from this Court. The Court further ORDERS that, to the extent that the Property and any information obtained or derived from or through the Property remains in the possession of the Victoria County Sheriff's Office, the Property be maintained in a manner so as to prevent any party, including third parties, from accessing the Property and/or the information therein. The Court further ORDERS that any confidential information

obtained or derived from or through the Property not be disseminated or communicated to any person or party, including but not limited to employees of the Victoria County Sheriff's Office. This Protective Order shall apply until further order from this Court modifying or withdrawing same.

The County is hereby directed to serve promptly a copy of this Order and Notice of Hearing on the Victoria County Sheriff's Office, Sheriff T. Michael O'Connor, and the County Attorney of Victoria County.

SIGNED on the 4th day of January, 2019.



JUDGE PRESIDING