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ARKANSAS COURT OF APPEALS

No. CR-19-591

TRACY WILL VAUGHN

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered: September 4, 2019

MOTION FOR ACCESS TO SEALED
MATERIAL

MOTION GRANTED

PER CURIAM

Appellant Tracy Will Vaughn was convicted of one count of sexual assault in the second degree. Vaughn filed a motion for access to sealed material with this court on July 26, 2019. At issue is whether Vaughn is entitled to access the sealed counseling records of his accuser in order to develop his point on appeal that the circuit court erred in denying him access and that he was prejudiced by such denial of access.

Vaughn requested access to the records because the accuser conceded in her testimony at trial that her version of events changed as a result of the counseling in that she was now claiming incidents had occurred that she had previously denied. The circuit court held an in-camera review of the counseling records, denied Vaughn access, and placed the sealed exhibits in the record. Vaughn contends that access to the counseling records is necessary in order to determine whether the circuit court erred in denying access and whether such a denial was prejudicial to him. We grant Vaughn leave to review the sealed counseling records. However, we direct Vaughn to maintain the confidentiality of these

documents. If Vaughn finds it necessary to abstract, quote, discuss, or otherwise disclose the sealed documents or their contents in his brief, he must do so in a separate addendum to his brief filed with the clerk of this court under seal.

Motion granted.