

IN THE SUPREME COURT OF TEXAS

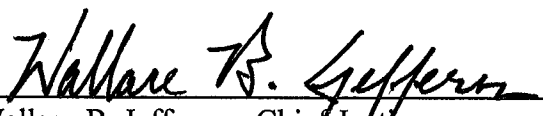
Misc. Docket No. 05- 9211

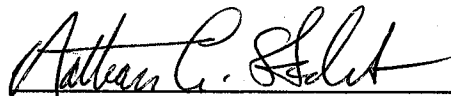
RESCISSION OF LOCAL RULES FOR THE DISTRICT COURTS OF BRAZORIA COUNTY

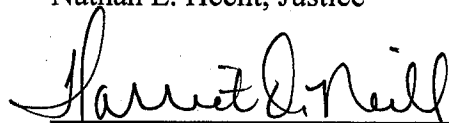
ORDERED that:

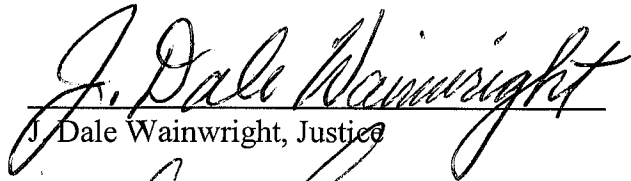
Pursuant to Texas Rule of Civil Procedure 3a, the request to rescind the following Local Rule for the District Courts of Brazoria County is approved.

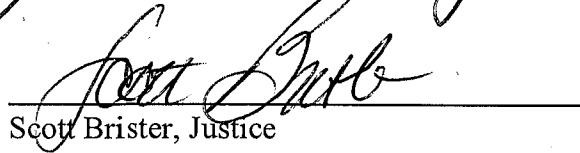
In Chambers, this 12th day of December, 2005.


Wallace B. Jefferson, Chief Justice

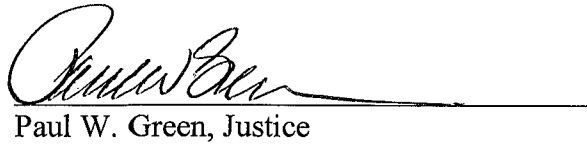

Nathan L. Hecht, Justice

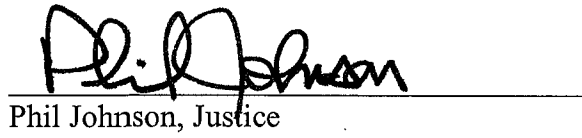

Harriet O'Neill, Justice

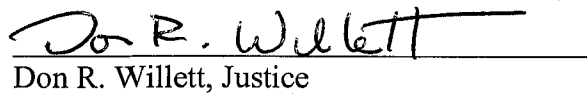

J. Dale Wainwright, Justice


Scott Brister, Justice

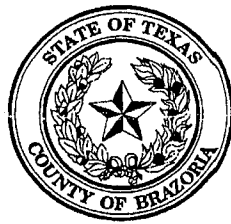
David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice

NATE MOORE, SR.
Chief Deputy



BRAZORIA COUNTY
111 E. Locust, Ste. 500
Angleton, TX 77515

JERRY DEERE
District Clerk

www.brazoria-county.com

August 18, 2005

Supreme Court of Texas
P. O. Box 12248
Austin, Texas 78711

Clerk of the Court

The District Judges of Brazoria County has drafted the enclosed order to rescind a Local Rule adopted in February of 1998.

If I can be of further assistance please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Nate Moore, Sr.".

Nate Moore, Sr.
Chief Deputy
Brazoria County District Clerk
natem@brazoria-county.com
979-864-1307

ORDER OF THE DISTRICT COURTS
OF BRAZORIA COUNTY RESCINDING
LOCAL RULE OF CIVIL PROCEDURE

WHEREAS, the District Courts of Brazoria County adopted a local rule of civil procedure effective February 21, 1998, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the adoption by the Texas Supreme Court on January 1, 1999 of Rule 191.4, Texas Rules of Civil Procedure, has made this local rule moot and unnecessary; and

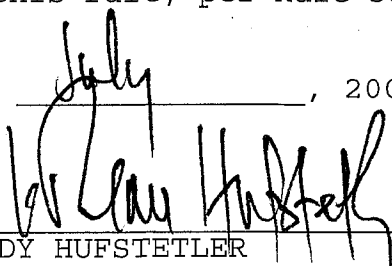
WHEREAS, the District Judges of Brazoria County agree that said local rule should be rescinded; and

WHEREAS, because the Texas Supreme Court approved this local rule as required by Rule 3a, Texas Rules of Civil Procedure;

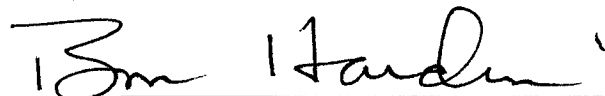
THEREFORE, BE IT: RESOLVED, that this local rule of civil procedure is RESCINDED, effective immediately; and

RESOLVED FURTHER, that the Texas Supreme Court shall be notified of the rescision of this rule, per Rule 3a, Texas Rules of Civil Procedure.

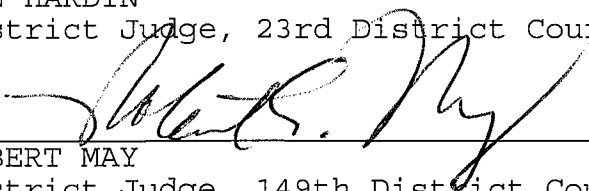
DATED the 18th day of July, 2005.



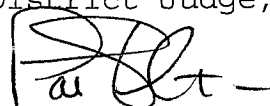
RANDY HUFSTETLER
District Judge, 300th District Court
Local Administrative Judge



BEN HARDIN
District Judge, 23rd District Court



ROBERT MAY
District Judge, 149th District Court



PATRICK SEBESTA
District Judge, 239th District Court

FILED

APR 24 1998

DISTRICT COURTS OF BRAZORIA COUNTY
AMENDED
LOCAL RULE OF CIVIL PROCEDURE
CONCERNING FILING OF DISCOVERY AND
RELATED MATERIALS IN CIVIL CASES

APR 24 1998

HENRY DEWE
DEPUTY CLERK OF DISTRICT COURT BRAZORIA COUNTY TEXAS
DEPUTY

1. Purpose.

Because of the expense to private litigants and to the public resulting from the filing and storage of discovery and other documents in the records of the District Clerk of Brazoria County, this rule will apply in the District Courts of Brazoria County, Texas, effective February 1, 1998.

2. Documents Not to be Filed.

The following documents shall not be filed with the office of the District Clerk of Brazoria County with respect to pending civil cases:

- a. Requests for production and inspection and the related responses/objections served under Rule 167, Texas Rules of Civil Procedure, except that requests for production attached to and served with the original petition shall be filed as provided in said rule;
- b. Interrogatories and responses/objections filed under Rule 168, Texas Rules of Civil Procedure, except that interrogatories attached to and served with the original petition shall be filed as provided in said rule; and
- c. Business records accompanied by affidavit filed under Rule 902(10), Texas Rules of Civil Evidence.

3. Exceptions and Procedural Requirements.

- a. Requests for admission and related responses/objections under Rule 169, Texas Rules of Civil Procedure, shall be filed as provided in said rule. Further, a Court may order the Clerk to accept the filing of any of the documents described in Section 2 in a particular case.
- b. The party responsible for service of the documents described in Section 2 shall:
 - (1) retain the original or an exact copy of the documents for at least one year after the case and any related appellate proceedings are last pending; and
 - (2) file with the Clerk a certificate which shall be signed by the attorney of record for the party and which shall identify:

Clerk of District Court

- (a) the document(s);
 - (b) the counsel or parties on whom the document was served; and
 - (c) the date the document was served.
- c. If relief is sought concerning any discovery dispute, a party may file only those portions of the documents related to and necessary to resolution of the dispute.
- d. A party may file any such documents as necessary in support of or opposition to a motion for summary judgment or any other pretrial motion.

Ben Hardin
Ben Hardin
Judge, 23rd District Court

Robert E. May
Robert May
Judge, 149th District Court

J. Ray Banks
J. Ray Banks
Judge, 239th District Court

Ogden Bass
Ogden Bass
Judge, 300th District Court

*Amended rule dated and filed April 24, 1998.

CIVIL PROCEDURE