

# Summary of Docket Activity

## Activity for the Year Ended August 31, 1998

### Cases Disposed Of During The Year Ended August 31, 1998:

Direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs disposed of by the Court	301
Petitions for discretionary review disposed	1,739
Disposition on granted petitions for discretionary review	127
Applications for writ of habeas corpus (art. 11.07), certiorari, original habeas corpus, original mandamus, prohibition; supplemental applications (art. 11.07), applications for writ of habeas corpus pursuant to art. 11.071, supplemental applications (art. 11.071); motions for reconsideration and motions for stay of execution	<u>6,187</u>
Total Cases Disposed Of By The Court	8,354

### Motions And Applications Disposed Of During The Year Ended August 31, 1998:

Motions for rehearing on direct appeals, refused petitions for discretionary review and granted petitions for discretionary review	126
Motions for extensions of time to file transcripts of court reporter's notes, bill of exceptions, briefs and petitions for discretionary review	2,103
Petitions for discretionary review refused as untimely filed	<u>76</u>
Total Motions and Applications Disposed Of By The Court	<u>2,305</u>

Grand Total Of Matters Disposed Of By The Court 10,659

### Matters Pending August 31, 1998:

Direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs	104
Cases on granted petitions for discretionary review pending	147
Petitions for discretionary review pending	744
Applications for writs of habeas corpus, etc., pending	<u>1,274</u>
Total Matters Pending August 31, 1998	<u><u>2,269</u></u>

# Summary of Docket Activity

(Continued)

## On Direct Appeal

Cases pending September 1, 1997	107	
Cases filed for the year ended August 31, 1998	283	
Cases reinstated	9	
Rehearings granted	<u>6</u>	
Total On Docket		405

Disposition of direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs:

Affirmed	33	
Affirmed; Remand to Trial Court	2	
Prior Opinion Withdrawn: Affirm	2	
Reversed and remanded	2	
Appeals abated	5	
Appeals dismissed	10	
Habeas corpus application granted	227	
Habeas corpus applications denied	12	
Habeas corpus applications dismissed	1	
Prior opinion withdrawn - Habeas Corpus relief denied	1	
Mandamus / Prohibition relief granted	1	
Mandamus relief conditionally granted	2	
Remanded to the trial court	2	
Vacate trial court; remand to trial court	<u>1</u>	
Total Cases Disposed		<u>301</u>

Cases Pending August 31, 1998:

Direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs:

Cases not set for submission	57	
Cases set for submission	10	
Submitted	<u>37</u>	

Total Cases Pending 104

# Summary of Docket Activity

(Continued)

## On Petitions For Discretionary Review

Petitions for Discretionary Review pending September 1, 1997	500	
Petitions for Discretionary Review filed during the year ended August 31, 1998	1,983	
Petitions for Discretionary Review reinstated	0	
Rehearings granted	0	
	0	
Total Petitions On Docket		2,483

### Disposition of Petitions for Discretionary Review:

Granted	173	
Refused	1,556	
Dismissed	10	
	10	
Total Petitions Disposed		1,739

Petitions for Discretionary Review Pending on August 31, 1998	744
---	-----

## On Granted Petitions For Discretionary Review

Granted petitions for discretionary review pending September 1, 1997	96	
Granted petitions filed through August 31, 1998	173	
Rehearings granted	5	
Cases reinstated	0	
	0	
Total Granted Petitions On Docket		274

### Cases disposed on granted petitions for discretionary review for the year ended August 31, 1998:

Court of Appeals affirmed	26	
Court of Appeals reversed and remanded to the Court of Appeals	22	
Court of Appeals reversed and remanded to the trial court	2	
Court of Appeals affirmed, trial court affirmed	13	
Court of Appeals vacated and remanded to Court of Appeals	37	
Court of Appeals reversed in part; dismissed as improvidently granted in part; affirm TC	1	
Dismissed	11	
Dismissed as improvidently granted	9	
Judgment of Court of Appeals reformed	1	
Remanded to Court of Appeals	2	
Reversed and Remanded	3	
	3	
Total Cases Disposed		127

### Cases pending on granted petitions for discretionary review for year ended August 31, 1998:

Petitions Not Set for Submissions	26	
Petitions Set for Submission	18	
Petitions Submitted	103	
	103	
Total Cases Pending		147

# Summary of Docket Activity

(Continued)

## Motions For Rehearing On Direct Appeal

Motions for rehearing pending September 1, 1997	12	
Motions for rehearing filed through August 31, 1998	30	
Total Motions for Rehearings on Direct Appeal on Docket		42

### Dispositions of Motions for Rehearing on Direct Appeal:

Motions granted without written opinions	6	
Motions denied with written opinions	0	
Motions denied without written opinions	32	
Motions dismissed without written opinions	1	
Total Motions Disposed		39

Motions for Rehearings on Direct Appeal Pending on August 31, 1998 3

Motions for rehearing pending September 1, 1997	12	
Motions for rehearing filed through August 31, 1998	49	
Total Rehearings on Refused Petitions for Discretionary Review on Docket		61

### Dispositions of Motions for Rehearing on Discretionary Review Cases:

Motions granted without written opinions	0	
Motions granted with written opinions	0	
Motions denied with written opinions	0	
Motions denied without written opinions	50	
Motions granted, PDRs previously refused	0	
Motions dismissed without written opinions	2	
Total Motions Disposed		52

Rehearings on Refused Discretionary Review Pending on August 31, 1998 9

## Motions For Rehearing On Granted Petitions For Discretionary Review

Motions for rehearing pending September 1, 1997	9	
Motions for rehearing filed through August 31, 1998	33	
Total Rehearings on Granted Petitions for Discretionary Review on Docket		42

### Dispositions of Motions for Rehearing on Granted Discretionary Review Cases:

Motions granted without written opinions	5	
Motions denied with written opinions	0	
Motions denied without written opinions	30	
Motions granted, PDRs previously refused	0	
Motions dismissed without written opinions	0	
Total Motions Disposed		35

Rehearings on Granted Discretionary Review Pending on August 31, 1998 7

# Summary of Docket Activity

(Continued)

## Opinions Written By The Court For The Year Ended August 31, 1998 On Direct Appeals And Petitions For Discretionary Review

Original opinions	417	
Concurring opinions	89	
Dissenting opinions	114	
Opinions concurring in part and dissenting in part	22	
Opinions granting rehearing	9	
Opinions denying rehearing	1	
Total		652

## Applications For Writ Of Habeas Corpus, etc.

Total Writs pending September 1, 1997	1,045	
Article 11.07 Writs filed during year ending August 31, 1998	5,475	
Original Certiorari	2	
Original Habeas Corpus	27	
Original Mandamus	378	
Original Prohibition	6	
Supplementals 11.07 Writs	391	
Motions for Reconsideration Received	31	
Article 11.071 Writs Received	97	
Supplemental 11.071 Writs Received	1	
Motions for Stay of Execution Received	8	
Total Applications On Docket		7,461

## Disposition of Applications for Writ of Habeas Corpus, etc: (Motions for Rehearing Included)

Abuse of Writ Order Previously entered	9	
Dismissed - Direct Appeal Pending, No action necessary	110	
Dismissed - Art. 11.07, Section 4	655	
Dismissed	400	
Filed & set	238	
Habeas corpus relief denied without written order	1,767	
Habeas corpus relief denied / with hearing	32	
Habeas corpus relief denied / without hearing	2,107	
Motion for leave to file denied / without written order	362	
Abuse of writ order issued	2	
Dismiss with order	3	
Habeas corpus relief denied with written order	5	
Habeas corpus remanded for evidentiary hearing	285	
Motion for leave to file held in abeyance with order	80	
Motion for leave to file denied with written order	5	
Motion for leave to file granted with written order	1	
Remanded with written order	1	
11.071 Writ denied with written order	61	
11.071 Writ dismissed - art. 11.07, sec. 4	1	
11.071 Writ dismissed	25	
11.071 Writ file & set	1	
Motion for reconsideration denied	27	
Motion for reconsideration denied / with written opinion	1	
Motion for reconsideration dismissed	1	
Motion for stay of execution denied	7	
Motion for stay of execution dismissed	1	
Total Applications Disposed		6,187

Applications for Writ of Habeas Corpus, etc., Pending on August 31, 1998

1,274