

**CHECKLIST FOR COURT OF CRIMINAL APPEALS**  
**(Updated 07/17/2015)**

*Please refer to the complete Texas Rules of Appellate Procedure. This document should be used only as a guide.*

The Texas Rules of Appellate Procedure require attorneys to file documents electronically. Rule 9.2(c)(1). **(For this purpose, the original is considered the electronically filed version)**

Choose an [Electronic Filing Service Provider](#)

[Amendments to Texas Rules of Appellate Procedure](#)

[Guide to Creating Electronic Appellate Briefs – Video](#)

By [miscellaneous order](#), the Court of Criminal Appeals requires 10 paper copies of PDRs, Briefs, and Motions for Rehearing that are filed electronically.

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**PETITIONS FOR DISCRETIONARY REVIEW - RULE 68**

Time to file - Rule 68.2(a)	30 days after court of appeals judgment or 30 days after rehearing or motion for en banc reconsideration is overruled.
Motion for Extension of Time - Rule 68.2(c)	File with Court of Criminal Appeals Original only Due no later than 15 days after the last day for filing the petition
Where to file - Rule 68.3	Court of Criminal Appeals
Contents of Petition - Rule 68.4)	
Length of Petition - Rule 9.4(i)(2)(D)	4,500 words or 15 pages
Number of copies - Misc. Order	Original + 10 paper copies
Reply to Petition - Rule 68.9	Due 15 days after PDR is filed
Amend/Supplement - Rule 68.10	Upon motion/may be amended any time justice requires

## **BRIEFS ON GRANTED PETITIONS FOR DISCRETIONARY REVIEW**

Briefs must comply with the requirements of Rules 9 and 38.

### **Initial Brief**

Number of copies - Misc. Order	Original + 10 paper copies
Time to file - Rule 70.1	Due within 30 days after review is granted
Word/page limit 9.4(i)(2)(B)	15,000 words or 50 pages

### **Respondent's Briefs**

Number of copies - Misc. Order	Original + 10 paper copies
Time to file - Rule 70.2	30 days after filing of initial brief
Word/page limit 9.4(i)(2)(B)	15,000 words or 50 pages

## **AMICUS BRIEFS - RULE 11**

Comply with briefing rules  
Received not filed  
Extension of time is not required

## **MOTION FOR REHEARING - RULE 79**

Due date (Rule 79.1)	15 days after judgment or order of Court of Criminal Appeals
Extension of Time (Rule 79.6)	File with Court of Criminal Appeals Original only
Contents (Rule 79.2)	
Contents (Rule 79.2(c))	For Refused PDRs only
Amendments (Rule 79.3)	May be amended anytime before period for filing expires or with leave of the court

## **EXTRAORDINARY MATTERS - RULE 72**

Number of copies - Misc. Order

Must be accompanied by motion for leave to file  
Counsel will be advised if copies are required

## **POSTCONVICTION APPLICATIONS FOR WRITS OF HABEAS CORPUS (11.07) - RULE 73**

Must be filed with the district clerk of the convicting court on the [prescribed form](#) - Art. 11.07, Sec. 2; Rule 73.1(a)

Memorandum - Rule 73.1(d)

Shall not exceed 15,000 words or 50 pages

Summary Sheet - Rule 73.4(b)(3)

Information summary sheet must contain....

Order Designating Issues - Rule 73.4(b)(1)

District Clerk shall immediately transmit to CCA

Resolution of Claims Raised - Rule 73.5

Trial Court shall resolve issue in 180 days - Extension of time must be filed with CCA

District Clerk shall forward record - Rule 73.4(5)

District clerk shall forward record on 181<sup>st</sup> day if no extension is granted

## **DEATH PENALTY CASES DIRECT APPEALS - RULE 71**

### **DEATH PENALTY BRIEFS**

Briefs should prepared and filed in accordance with Rule 38

Briefs must be in the form as prescribed by Rule 9.4

Appellant's Brief - Rule 38.6(a) and Rule 71.3

Appellant's brief is due 30 days after the reporter's record is filed in this court.

State's Brief - Rule 38.6(b), Rule 71.3	State's brief is due 30 days after the appellant's brief is filed in this court.
Reply Brief - Rule 38.6(c) and Rule 71.3	Due 20 days after appellee's brief was filed
Additional Briefs - Rule 71.4	Upon motion the Court may permit the filing of additional briefs
Binding and covers - Rule 9.4(f)	Covers on paper briefs should not be dark blue, red, black or plastic
Word/page limit 9.4(i)(2)(A)	37,500 words or 125 pages
Oral argument - Rule 71.3	Must include a short statement of why oral argument would be helpful

**CLERK'S RECORD - RULE 34.5**

Contents - Rule 34.5

Due Date - Rule 35.2(a)	The clerk's record is due 60 days from the date sentence is imposed if no motion for new trial is filed ....
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Due Date - Rule 35.2(b)	....or 120 days if motion for new trial is filed
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**REPORTER'S RECORD - RULE 34.6**

Contents - Rule 34.6 (a)

Due Date - Rule 35.2(a)	The reporter's record is due 60 days from the date sentence is imposed if no motion for new trial is filed.....
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Due Date - Rule 35.2(b)	....or 120 days if a motion for new trial is filed.
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*(SEE ALSO UNIFORM FORMAT MANUAL FOR COURT REPORTERS)*

**APPEALS FROM TRIAL COURT ORDERS ON DNA CASES**

See C.C.P. Chapter 64, Art. 64.01