

COURT OF CRIMINAL APPEALS ACTIVITY: FY 2014

	<i>Pending: 9/1/2013¹</i>	<i>Cases Added</i>	<i>Total on Docket</i>	<i>Dispositions</i>	<i>Pending: 8/31/2014</i>
Regular Appeals					
Direct Appeals: <i>Death Penalty</i>	15	14	29	9	20
<i>DNA Appeal-Death Sentence</i>	3	3	6	3	3
<i>Other Appeals</i>	2	5	7	6	1
Granted Petitions for Discretionary Review	84	129	213	140	73
Petitions for Discretionary Review (<i>includes Granted MRH & Reinstated</i>)	307	1,459	1,766	1,492	274
Redrawn Petitions for Discretionary Review	13	88	101	97	4
SUBTOTAL	424	1,698	2,122	1,747	375
Applications for Writ of Habeas Corpus					
11.071 Writs (death penalty) Received	20	46	66	40	26
Habeas Corpus & Extraordinary Matters (filed & set)	9	200	209	189	20
Habeas Corpus Received	416	4,161	4,577	4,133	444
Supplemental 11.071 Writs (death penalty)	10	13	23	8	15
Supplemental 11.07 Writs (other than death penalty)	103	326	429	363	66
SUBTOTAL	558	4,746	5,304	4,733	571
Original Proceedings²					
Writs of Certiorari	0	5	5	3	2
Writs of Habeas Corpus	5	45	50	44	6
Supplemental Received Writ of Habeas Corpus	1	0	1	0	1
Writs of Mandamus	42	557	599	561	38
Supplemental Received Writ of Mandamus	38	176	214	194	20
Original & Supplemental 11.071 Matters	0	5	5	3	2
Writs of Prohibition	1	14	15	14	1
Supplemental Received Writ of Prohibition	0	0	0	0	0
SUBTOTAL	87	802	889	819	70
Motions for Rehearing & Reconsideration					
Motions for Reconsideration (for original proceedings & 11.07 & 11.071 writs)	6	231	237	232	5
Rehearing on Direct Appeal	0	2	2	2	0
Rehearing on Granted Petitions for Discretionary Review	0	18	18	16	2
Rehearing on Habeas Corpus (filed & set)	0	7	7	7	0
Rehearing on Refused Petitions for Discretionary Review	2	32	34	31	3
Other Motions for Rehearing	0	1	1	1	0
Motions for Stay of Execution (for 11.071 writs)	2	12	14	12	2
SUBTOTAL	10	303	313	301	12
Motions for Extensions of Time³	0	1,843	1,843	1,843	0
TOTAL	1,079	9,089	10,471	9,443	1,028

PENDING CASE STATUS: FY 2014

	9/1/2013				8/31/2014			
	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	<i>Total Pending</i>	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	<i>Total Pending</i>
Direct Appeal: Death Penalty	8	1	6	15	15	1	4	20
Direct Appeal: DNA Appeal	2	1	0	3	1	0	2	3
Direct Appeal: Habeas Corpus & Extraordinary Matters	3	0	6	9	6	3	11	20
Granted Petitions for Discretionary Review	28	10	45	83	20	14	41	73
TOTAL	41	12	57	110	42	18	58	116

¹ Cases pending at the beginning of the fiscal year (September 1) may not equal cases pending at the end of the previous fiscal year (August 31) due to docket adjustments.

² Original proceedings are filed directly with the Court of Criminal Appeals. Applications for writ of habeas corpus, although seeking relief from the Court of Criminal Appeals, must be filed in the trial court, which has 35 days in which to submit findings of fact, conclusions of law, and a recommendation to the Court of Criminal Appeals.

³ Motions for extensions of time to file transcripts of court reporter's notes, bill of exceptions, briefs and petitions for discretionary review.

MANNER OF DISPOSITION: Appeals & Original Proceedings, FY 2014

Direct Appeals:

Death Penalty

Abated & remanded	1
Affirmed	8
TOTAL: Death Penalty	9

Death Penalty – DNA Appeal

Affirmed trial court	2
Reversed & remanded	1
TOTAL: Death Penalty – DNA Appeal	3

Other Appeals

Affirmed trial court	1
Dismissed	3
Judgment of trial court reversed, remanded to trial court	1
Remanded to trial court	1
TOTAL: Other Appeals	6

TOTAL: Direct Appeals **18**

Petitions for Discretionary Review

Dismissed	4
Granted	126
Refused	1,215
Struck	111
Untimely	36
Withdrawn	0
TOTAL: Petitions for Discretionary Review	1,492

Granted Petitions for Discretionary Review

Affirmed court of appeals	48
Affirmed court of appeals and trial court	2
Affirmed as reformed	1
Affirmed in part, reversed in part, trial court to show acquittal	2
Court of appeals, as modified, affirmed	1
Dismissed as improvidently granted	1
Remanded to court of appeals	3
Reversed court of appeals, trial court reinstated	3
Reversed court of appeals, acquittal ordered	1
Reversed court of appeals & remanded to court of appeals	22
Reversed court of appeals & remanded to trial court	11
Reversed court of appeals & affirmed trial court	5
Reversed court of appeals & trial court, remanded to trial court	1
Reversed court of appeals	1
Vacated court of appeals & remanded to court of appeals	38
TOTAL: Granted Petitions for Discretionary Review	140

Redrawn Petitions for Discretionary Review

Granted	4
Refused	90
Untimely	3
TOTAL: Redrawn Petitions for Discretionary Review	97

Habeas Corpus & Extraordinary Matters (filed & set)

Dismissed	5
Habeas corpus relief denied	7
Habeas corpus relief denied in part, dismissed in part	1
Habeas corpus relief granted	170
Mandamus relief conditionally granted	3
Remanded to trial court	3
TOTAL: HC & EXTRAORD. MATTERS (FILED & SET)	189

Applications for Writ of Habeas Corpus Received

Abuse of writ order entered	24
Abuse of writ order previously entered	77
Dismissed - direct appeal pending, no action	139
Dismissed - Art. 11.07, Section 4	702
Dismissed - Art. 11.07, Tex.Gov. Code §501.0081	33
Dismissed	73
Filed & set	184
Habeas corpus remanded for evidentiary hearing/aff with order	284
Habeas corpus remanded application prematurely forwarded	4
Habeas corpus remanded live hearing	1
Habeas corpus returned to district clerk	1
Habeas corpus dismissed/Daniel	3
Habeas corpus relief denied without written order	964
Habeas corpus relief denied with written order	40
Habeas corpus relief denied with hrg on findings of trial court	48
Habeas corpus relief denied w/o hrg on findings of trial court	1,201
Habeas corpus denied/dismissed with order	22
Habeas corpus dismissed – juvenile matter	4
Habeas corpus dismissed – misdemeanor offense	8
Habeas corpus dismissed – moot	36
Habeas corpus dismissed – sentence discharged	174
Habeas corpus dismissed – community supervision not revoked	35
Habeas corpus dismissed with written order	9
Habeas corpus dismissed for non compliance	343
Habeas corpus dismissed – Ybarra	87
TOTAL: APPLICATIONS FOR WRIT OF HABEAS CORPUS	4,496

11.071 Applications for Writ of Habeas Corpus

Motion for leave to file denied w/o order	1
11.071 Writ denied w/ written order	14
11.071 Writ denied	6
11.071 Writ dismissed w/order	21
11.071 Writ filed & set	3
11.071 Writ granted	2
Remanded to trial court w/ order	1
TOTAL: 11.071 Applications for Writ of Habeas Corpus	48

Original Proceedings – Non Capital

Motion for leave to file denied without written order	572
Motion for leave to file held in abeyance with written order	172
Motion for leave to file dismissed – Padilla	62
Motion for leave to file denied with written order	4
Dismissed	1
Filed & set	5
TOTAL: Original Proceedings – Non Capital	816

Original Proceedings – Capital

Motion for leave to file denied w/ written order	1
Motion for leave to file denied w/o written order	1
Motion for leave to file held in abeyance w/ order	1
TOTAL: Original Proceedings	3

Motions for Reconsideration and Stay of Execution

Motion for reconsideration denied	132
Motion for reconsideration denied w/ written order	2
Motion for reconsideration filed & set	2
Motion for reconsideration granted ⁴	7
Motion for reconsideration—dismissed	86
Motion for reconsideration—dismissed w/ written order	1
Motion for reconsideration—remanded to trial court for evidentiary hearing/aff	2
Motion for stay of execution denied w/o order	4
Motion for stay of execution denied w/ order	8
TOTAL: Motions for Reconsideration and Stay of Execution	244

⁴ Applications for Writ of Habeas Corpus disposed.

MANNER OF DISPOSITION: Motions for Rehearing, FY 2014

	<i>With Written Opinion</i>			<i>Without Written Opinion</i>			Total
	<i>Granted</i>	<i>Denied</i>	<i>Dismissed</i>	<i>Granted</i>	<i>Denied</i>	<i>Dismissed</i>	
Rehearing on direct appeal	0	0	0	0	2	0	2
Rehearing on DNA appeal	0	0	0	0	0	0	0
Rehearing on granted petitions for discretionary review	0	1	1	0	14	0	16
Rehearing on habeas corpus and extraordinary matters	0	0	0	3	3	1	7
Rehearing on refused petitions for discretionary review	0	0	0	3	28	0	31
Other Motions for Rehearing	0	0	0	0	1	0	1
TOTAL	0	1	1	6	48	1	57

OPINION SUMMARY: Direct Appeals & Petitions for Discretionary Review: FY 2014

<i>Judge</i>	<i>Signed Opinions on</i>				TOTAL
	<i>the Merits</i>	<i>Per Curiam</i>	<i>Concurring</i>	<i>Dissenting</i>	
Keller	12	29	14	15	70
Meyers	10	28	0	12	50
Price	15	20	16	7	58
Womack	14	21	0	1	36
Johnson	16	26	2	3	47
Keasler	14	16	0	8	38
Hervey	17	33	1	0	51
Cochran	16	19	15	1	51
Alcala	20	23	7	6	56
TOTAL	134	215	55	53	457

PETITIONS FOR REVIEW FILED BY COUNTY: FY 2014

<i>County</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>	<i>Untimely</i>	<i>Struck</i>	<i>Other</i>	<i>Total Disposed</i>
Anderson	5	0	3	0	1	0	0	4
Andrews	1	0	1	0	0	0	0	1
Angelina	10	2	6	0	0	0	0	8
Aransas	2	0	2	0	0	0	0	2
Bastrop	1	0	1	0	0	0	0	1
Bee	3	1	0	0	0	0	0	1
Bell	13	4	10	0	0	0	0	14
Bexar	74	8	58	0	0	7	7	80
Bowie	10	2	8	0	0	0	0	10
Brazoria	12	0	8	0	0	2	0	10
Brazos	16	4	9	0	1	1	0	15
Brooks	1	0	0	0	0	0	0	0
Brown	3	0	3	0	0	0	0	3
Burnet	1	0	1	0	0	0	0	1
Caldwell	2	1	2	0	0	0	0	3
Callahan	1	0	1	0	0	0	0	1
Cameron	7	0	7	0	0	0	0	7
Carson	1	0	1	0	0	0	0	1
Cass	3	2	1	0	0	0	0	3
Chambers	1	0	1	0	0	0	0	1
Cherokee	3	0	2	0	0	1	0	3
Collin	50	4	37	0	0	3	1	45
Collingsworth	1	0	1	0	0	0	0	1
Comal	10	0	7	0	0	1	0	8
Comanche	6	0	5	0	2	0	0	7
Cooke	2	0	2	0	0	0	0	2
Coryell	3	0	4	0	0	0	0	4
Dallas	221	6	198	1	4	6	2	217
Dawson	1	0	1	0	0	0	0	1
Deaf Smith	1	0	1	0	0	0	0	1
Denton	26	1	25	0	1	2	4	33
Donley	0	0	1	0	0	0	0	1
Ector	5	0	5	0	0	1	0	6
El Paso	12	1	7	0	0	1	0	9
Ellis	12	1	10	0	0	2	0	13
Erath	1	0	1	0	0	0	0	1
Falls	1	0	1	0	0	0	0	1
Fannin	9	0	8	0	1	0	0	9
Fort Bend	16	1	16	0	2	1	0	20
Franklin	1	0	0	0	0	0	0	0
Freestone	3	1	0	0	0	0	0	1
Galveston	25	1	24	0	0	2	0	27
Gonzales	3	0	2	0	0	0	0	2
Gray	3	0	2	0	0	0	0	2
Grayson	2	0	3	0	0	0	0	3
Gregg	9	3	5	0	0	0	1	9
Grimes	1	0	3	0	0	0	0	3
Guadalupe	4	1	4	0	0	0	0	5
Hale	4	0	2	0	0	0	0	2
Hall	2	0	2	0	0	0	0	2

Hamilton	3	1	2	0	0	0	0	3
Hardeman	2	0	2	0	0	0	0	2
Hardin	2	0	2	0	0	0	0	2
Harris	241	42	237	0	6	15	2	302
Harrison	2	0	1	0	0	0	0	1
Haskell	4	1	3	0	0	0	0	4
Hays	10	2	2	0	0	0	0	4
Henderson	4	1	2	0	1	1	1	6
Hidalgo	11	0	13	0	0	0	0	13
Hill	2	0	2	0	0	0	0	2
Hood	8	0	8	0	0	0	0	8
Hopkins	4	0	2	0	0	2	0	4
Houston	5	1	3	0	0	0	0	4
Hunt	8	0	8	0	0	0	0	8
Jackson	6	0	5	0	0	0	0	5
Jasper	4	0	4	0	0	1	0	5
Jefferson	32	2	22	0	0	4	0	28
Jim Hogg	0	0	1	0	0	0	0	1
Jim Wells	1	0	1	0	0	0	0	1
Johnson	11	0	9	0	0	2	1	12
Kaufman	10	2	7	0	1	1	0	11
Kerr	9	0	8	0	2	1	0	11
Kleberg	7	0	8	0	0	0	0	8
Lamar	4	2	2	0	0	0	0	4
Lampasas	2	0	2	0	0	0	0	2
Lee	1	0	1	0	0	0	0	1
Leon	2	0	2	0	0	0	0	2
Liberty	2	0	3	0	0	0	0	3
Limestone	8	0	7	0	0	1	0	8
Llano	2	0	2	0	0	0	0	2
Lubbock	19	1	16	0	1	0	0	18
Madison	2	0	0	0	1	0	0	1
Matagorda	14	0	11	0	0	0	0	11
McCulloch	1	0	1	0	0	0	0	1
McLennan	54	7	47	0	1	4	0	59
Medina	1	0	0	0	0	0	0	0
Midland	24	0	20	0	3	4	0	27
Milam	4	0	4	0	0	0	0	4
Mitchell	1	0	0	0	0	0	0	0
Montague	0	0	1	0	0	0	0	1
Montgomery	31	0	27	0	1	3	0	31
Morris	2	0	0	0	0	0	0	0
Nacogdoches	1	0	2	0	0	0	0	2
Navarro	8	0	4	0	1	2	0	7
Nolan	2	0	2	0	0	0	0	2
Nueces	24	1	28	1	2	0	2	34
Oldham	0	1	0	0	0	0	0	1
Orange	4	1	3	0	0	0	0	4
Palo Pinto	1	0	3	0	0	0	0	3
Panola	1	0	0	0	0	0	0	0
Parker	4	0	1	0	0	0	0	1
Parmer	1	0	0	1	0	0	0	1
Polk	6	1	5	0	0	0	0	6

Potter	19	1	14	0	0	1	0	16
Rains	1	0	0	0	0	0	0	0
Randall	11	0	9	0	0	0	0	9
Real	1	0	0	0	0	0	0	0
Red River	6	0	1	0	0	0	0	1
Refugio	1	0	0	0	0	0	0	0
Rockwall	5	1	4	0	0	1	0	6
Rusk	5	2	0	0	0	0	0	2
San Augustine	4	0	0	0	0	2	0	2
San Patricio	3	0	4	0	0	0	0	4
Sherman	1	0	0	0	1	0	0	1
Smith	28	0	26	1	1	0	1	29
Stephens	1	0	1	0	0	0	0	1
Stonewall	1	0	1	0	0	0	0	1
Tarrant	160	10	110	0	4	26	2	152
Taylor	13	1	9	0	0	2	0	12
Titus	3	0	3	0	0	0	0	3
Travis	47	4	33	0	0	4	3	44
Trinity	1	0	0	0	0	0	0	0
Upshur	1	0	2	0	0	0	0	2
Upton	1	0	1	0	0	0	0	1
Van Zandt	3	1	2	0	0	0	0	3
Victoria	8	1	8	0	0	0	0	9
Walker	4	0	2	0	0	0	0	2
Waller	2	0	2	0	0	1	0	3
Washington	1	0	1	0	0	0	0	1
Webb	4	0	4	0	0	0	1	5
Wharton	1	0	1	0	0	0	0	1
Wichita	14	1	8	0	1	2	0	12
Wilbarger	1	0	1	0	0	0	0	1
Williamson	6	0	5	0	0	1	0	6
Winkler	1	0	1	0	0	0	0	1
Wise	3	1	2	0	0	0	0	3
Wood	1	0	1	0	0	0	0	1
Yoakum	1	0	1	0	0	0	0	1
Total	1,579	133	1,305	4	39	111	28	1,620

PETITIONS FOR REVIEW FILED BY COURT OF APPEALS: FY 2014

<i>Court of Appeals</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>	<i>Untimely</i>	<i>Struck</i>	<i>Other</i>	<i>Total Disposed</i>	<i>Percentage of Petitions Granted</i>
1 st - Houston	183	9	170	0	5	11	1	196	4.6%
2 nd - Fort Worth	140	9	101	0	4	20	5	139	6.5%
3 rd - Austin	82	7	62	0	0	4	3	76	9.2%
4 th - San Antonio	109	11	84	0	2	9	8	114	9.6%
5 th - Dallas	281	12	243	1	5	11	3	275	4.4%
6 th - Texarkana	79	13	48	0	2	2	1	66	19.7%
7 th - Amarillo	86	6	68	1	3	3	0	81	7.4%
8 th - El Paso	48	4	33	0	1	8	1	47	8.5%
9 th - Beaumont	62	4	48	0	1	6	0	59	6.8%
10 th - Waco	112	10	80	0	3	11	1	105	9.5%
11 th - Eastland	72	5	59	0	6	8	0	78	6.4%
12 th - Tyler	58	2	44	1	2	4	2	55	3.6%
13 th - Corpus Christi	117	4	112	1	2	3	2	124	3.2%
14 th - Houston	140	37	148	0	3	10	1	199	18.6%
No Court Associated	10	0	5	0	0	1	0	6	0.0%
Total	1,579	133	1,305	4	39	111	28	1,620	7.8%