

# COURTS OF APPEALS

## ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993

There are 14 Courts of Appeals in Texas which, since September 1, 1981, have heard intermediate appeals in civil and criminal cases.

Courts of Appeals are located in Fort Worth, Austin, San Antonio, Dallas, Texarkana, Amarillo, El Paso, Beaumont, Waco, Eastland, Tyler, Corpus Christi, and Houston. Houston has two Courts of Appeals. Each court has jurisdiction over a geographical district. The districts of the Houston courts are coterminous.

The number of justices for each court ranges from 3 each in five courts to 13 in Dallas, which is the largest. There are 80 justices statewide.

### PENDING CASELOADS INCREASED AGAIN

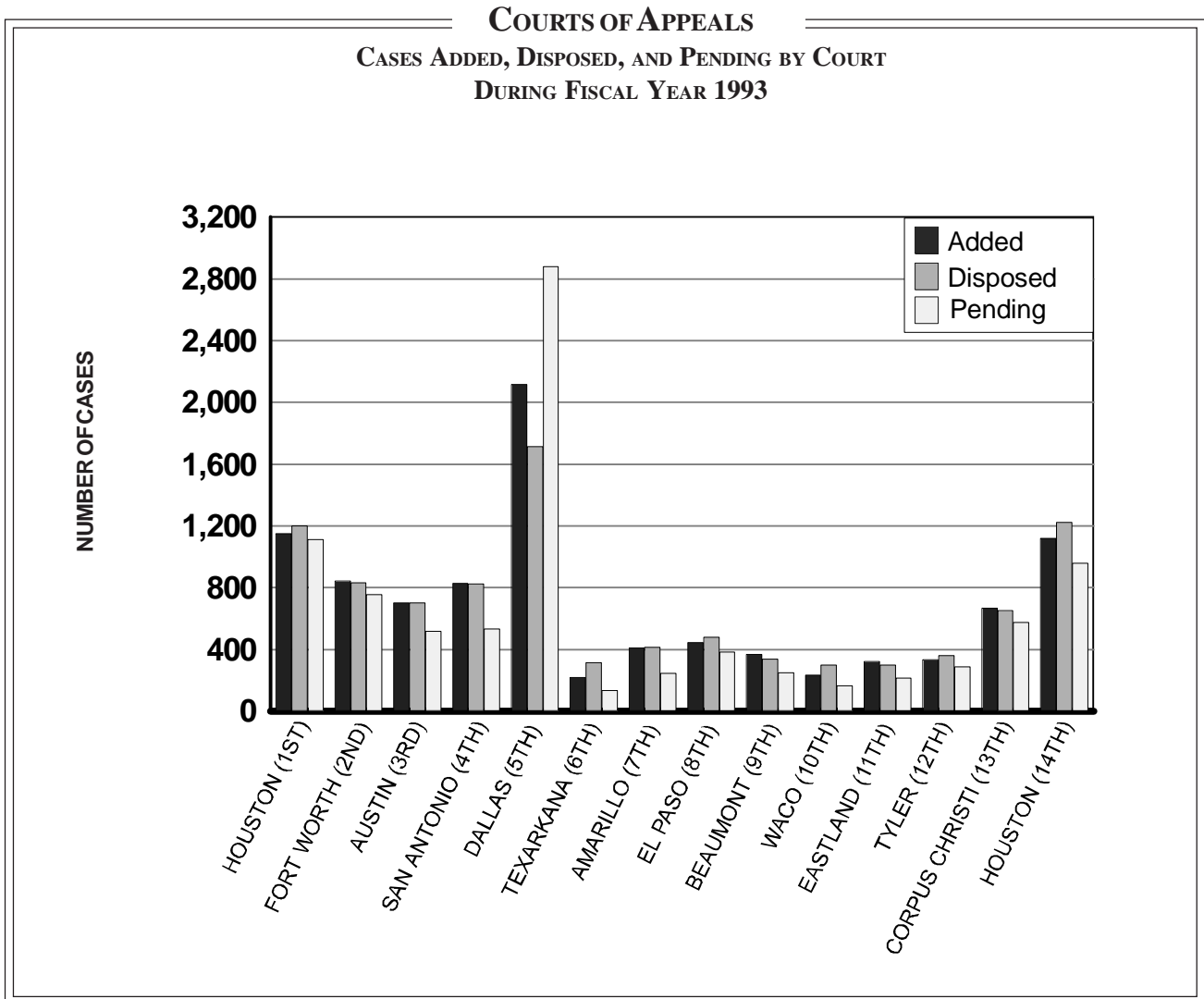
For the sixth consecutive year, total pending caseloads of the 14 Courts of Appeals increased

during the state fiscal year which ended August 31, 1993.

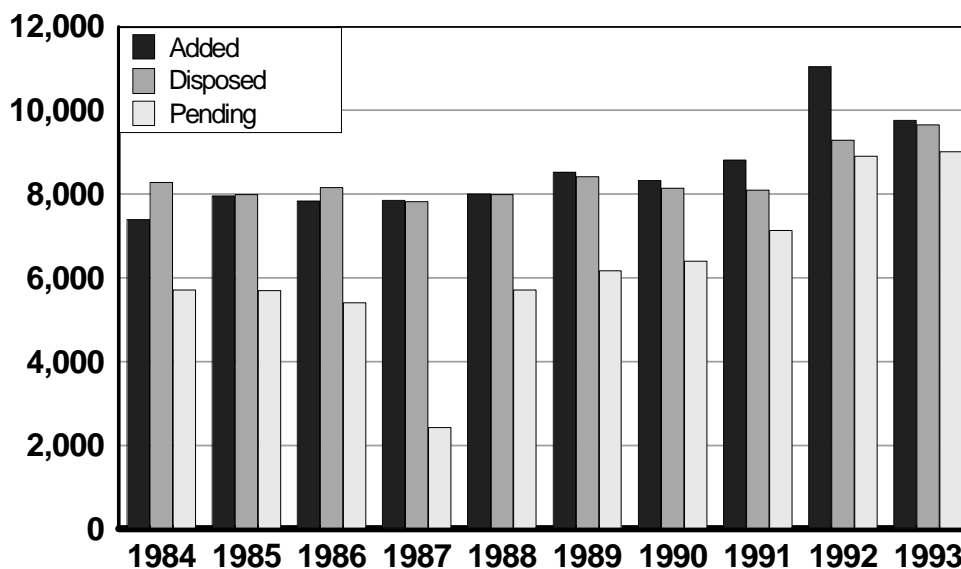
The pending caseload increased from 8,915 at the beginning of the fiscal year 1993 to 9,016 at the end of the fiscal year.

The Courts of Appeals had 5,806 criminal cases and 3,047 civil cases pending as of September 1, 1992. On August 31, 1993, 6,353 criminal cases and 2,663 civil cases were pending. The state average for pending cases at year's end was 113 per justice.

Of the 6,353 criminal cases pending in the Courts of Appeals at the end of fiscal year 1993, 39 percent had been on the docket less than 6 months, 29 percent from 6 to 12 months, and 32 percent more than 12 months.



**COURTS OF APPEALS**  
**CASES ADDED, DISPOSED, AND PENDING**  
**FISCAL YEAR 1984 THROUGH FISCAL YEAR 1993**



At the end of fiscal year 1993, 2,663 civil cases were pending on the dockets of the Courts of Appeals, 13.4 percent fewer than the 3,076 pending on September 1, 1992. Of those civil cases pending on August 31, 1993, 53 percent had been on the docket less than 6 months, 30 percent from 6 to 12 months, and 17 percent for more than 12 months.

The largest number of pending cases per justice (217) at the end of the fiscal year was in the Fifth Court of Appeals in Dallas. The lowest number per justice (45) was in the Sixth Court of Appeals in Texarkana.

**NEW CASE FILINGS**

A total of 9,420 new cases was filed in the Courts of Appeals during the fiscal year, which included 5,364 criminal cases and 4,056 civil cases. This was a decrease of 13.8 percent from the 10,722 total new cases filed in fiscal year 1992. New criminal cases decreased 10 percent from the 5,960 filed in fiscal year 1992 and civil cases decreased 14.8 percent from the 4,762 filed in fiscal year 1992.

Considering civil and criminal cases together, the Fifth Court of Appeals in Dallas had the highest average number of new cases filed per justice (178) during fiscal year 1993. The other courts ranged down to 55 cases per justice filed in the Sixth Court of Appeals in Texarkana. State average filings were 122 per justice.

Approximately 25 percent of all new cases filed in a Court of Appeals in Texas in fiscal year 1993 were filed in one of the two Courts located in Houston.

Approximately 24.2 percent of all new cases filed in the State were filed in the Fifth Court of Appeals in Dallas.

**DISPOSITIONS**

The Courts disposed of 9,654 total cases during the year, an average of 121 dispositions (63 criminal and 57 civil) per justice.

The Fourteenth Court of Appeals in Houston disposed of the largest total number of cases per justice (136) during fiscal year 1992. The lowest number per justice (99) was in the Tenth Court of Appeals in Waco. State average dispositions were 121 per justice.

**CRIMINAL DISPOSITIONS**

Criminal dispositions increased 5.4 percent from 4,799 dispositions in fiscal year 1992 to 5,057 dispositions in fiscal year 1993.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 8.6 months in the Seventh Court of Appeals in Amarillo to 21.3 months in the Twelfth Court of Appeals in Tyler. The average lapse of time for the 14 courts was 11.5 months.

The average lapse of time between submission of a criminal appeal and its disposition ranged from 0.7 of a month in the Fifth Court of Appeals in Dallas to 3.5 months in the Thirteenth Court of Appeals in Corpus Christi. The average lapse of time for the 14 courts was 1.8 months.

### CIVIL DISPOSITIONS

In fiscal year 1993, there were 4,597 civil dispositions by the Courts of Appeals, an increase of 3 percent from the 4,482 civil dispositions in fiscal year 1992.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 6.0 months in the Sixth Court of Appeals in Texarkana to 12.5 months in the Twelfth Court of Appeals in Tyler. The average lapse of time in the 14 courts for civil cases was 8.3 months.

The average lapse of time from the submission to the court of a civil case and its disposition ranged from one month in the Fourteenth Court of Appeals in Houston to 6.6 months in the Thirteenth Court of Appeals in Corpus Christi. The average lapse of time for the 14 courts was 2.6 months. A case is "submitted" when the court hears oral argument or when it is referred to the justices for formal consideration if no oral argument is heard.

### OPINIONS WRITTEN

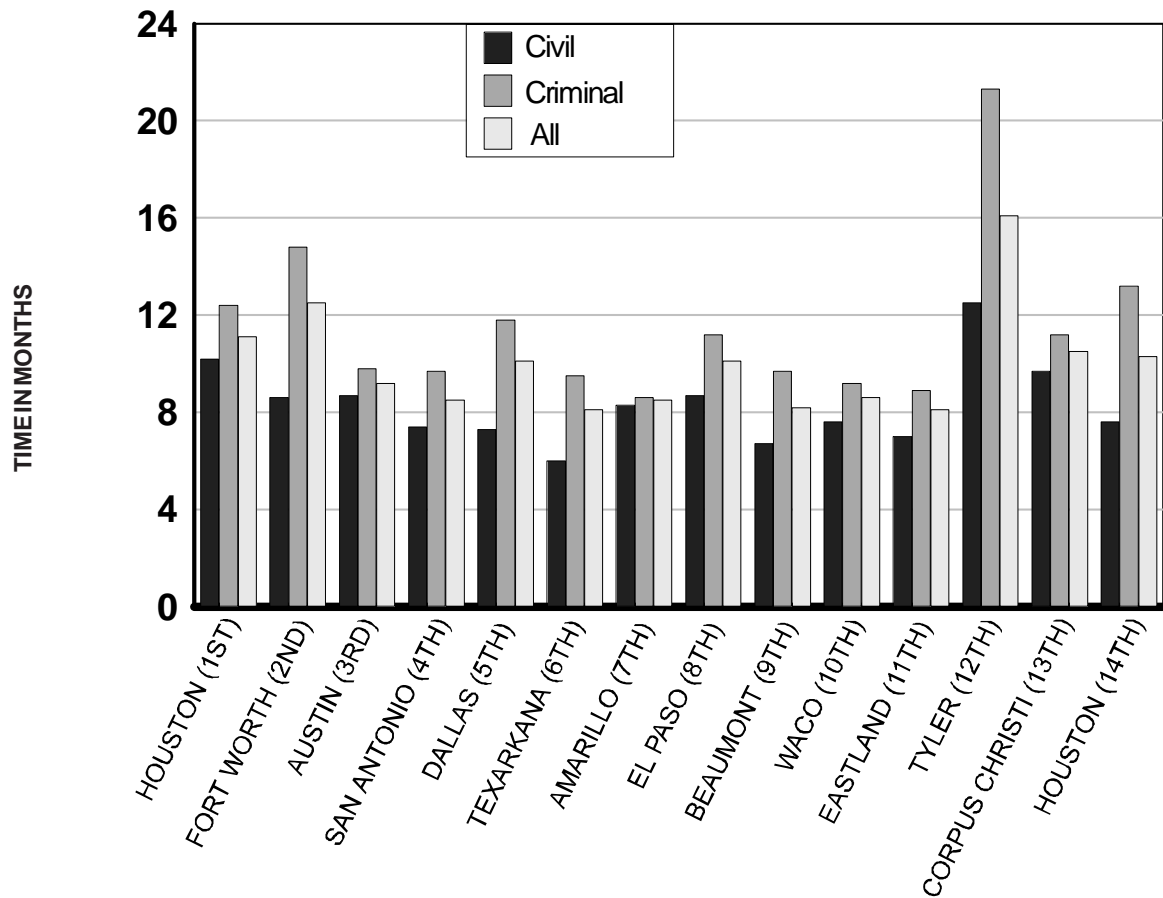
In fiscal year 1993, the justices of the Courts of Appeals wrote 9,379 opinions, 5.7 percent more than the 8,875 written in 1992.

The Courts of Appeals reversed, at least in part, the decision of the trial court in 13.0 percent of the cases disposed of during fiscal year 1993, a 0.1 percent increase from fiscal year 1992.

### CASES TRANSFERRED

While the 14 Courts of Appeals operate to a large extent as autonomous courts in specific geographic districts, some equalization of the dockets occurs by transfer of cases among the courts on order of the Supreme Court, pursuant to statutory authority. The Supreme Court transferred a total of 119 civil cases and 268 criminal cases among the courts in fiscal year 1993, compared with 205 civil cases and 536 criminal cases transferred in fiscal year 1992. In addition, the two Houston Courts (1st and 14th) are authorized by statute to transfer cases between those courts. During 1993, the 1st Court transferred one civil and one criminal case to the 14th. The 14th transferred one civil case and one criminal case to the 1st Court.

**COURTS OF APPEALS**  
**AVERAGE TIME BETWEEN FILING AND DISPOSITION OF CASES**  
**DURING FISCAL YEAR 1993**



**COURTS OF APPEALS**  
**TOTAL OF REPORTED ACTIVITY**  
**FOR THE YEAR ENDED AUGUST 31, 1993**

**CIVIL & CRIMINAL CASES**

	<u>TOTALS</u>	<u>AVERAGES PER JUSTICE<sup>1</sup></u>
<b>Cases Pending September 1, 1992 .....</b>	8,915	111
<b>Cases Added During Year Ended August 31, 1993:</b>		
New cases filed .....	9,420	118
Other cases added .....	<u>335</u>	<u>4</u>
TOTAL CASES ADDED DURING YEAR .....	9,755	122
<b>Cases Disposed of During Year:</b>		
Cases affirmed .....	4,925	
Cases modified and/or reformed and affirmed .....	168	
Cases affirmed in part and in part reversed and remanded .....	138	
Cases affirmed in part and in part reversed and rendered .....	57	
Cases reversed and remanded .....	891	
Cases reversed and rendered .....	169	
Cases otherwise disposed .....	1,216	
Cases dismissed .....	2,071	
Case consolidations or voids .....	<u>19</u>	
TOTAL DISPOSITIONS DURING YEAR .....	9,654	121
<b>Cases Pending August 31, 1993 .....</b>	9,016	113
<b>Opinions Written During Year .....</b>	9,379	117

<sup>1</sup>Averages based on 80 justices

# COURTS OF APPEALS

## ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993

	Houston-1st 9 Justices			Fort Worth-2nd 7 Justices			Austin-3rd 6 Justices			San Antonio-4th 7 Justices		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1992 .....	606	557	1,163	186	559	745	259	261	520	246	283	529
New cases filed during year ended August 31, 1993.....	556	649	1,205	270	557	827	382	289	671	413	372	785
Rehearings granted.....	10	5	15	6	0	6	10	2	12	11	2	13
Cases reinstated .....	1	3	4	5	6	11	5	4	9	13	6	19
Cases remanded from higher courts .....	0	1	1	0	0	0	2	6	8	5	6	11
Cases transferred in .....	0	2	2	0	0	0	0	0	0	0	0	0
Cases transferred out .....	-26	-51	-77	0	0	0	0	0	0	0	0	0
<b>TOTAL CASES ON DOCKET .....</b>	<b>1,147</b>	<b>1,166</b>	<b>2,313</b>	<b>467</b>	<b>1,122</b>	<b>1,589</b>	<b>658</b>	<b>562</b>	<b>1,220</b>	<b>688</b>	<b>669</b>	<b>1,357</b>
Cases affirmed .....	139	377	516	132	389	521	160	185	345	128	214	342
Cases modified and/or reformed and affirmed....	11	2	13	3	3	6	6	0	6	19	8	27
Cases affirmed in part and in part reversed and remanded .....	12	1	13	13	3	16	7	0	7	17	0	17
Cases affirmed in part and in part reversed and rendered .....	9	4	13	5	0	5	10	0	10	7	0	7
Cases reversed and remanded .....	53	64	117	26	56	82	49	28	77	57	37	94
Cases reversed and rendered .....	12	0	12	12	0	12	17	0	17	20	0	20
Cases otherwise disposed .....	120	2	122	54	6	60	76	19	95	119	24	143
Cases dismissed .....	323	69	392	67	64	131	88	56	144	89	84	173
Case consolidations or voids.....	2	1	3	0	0	0	0	0	0	2	0	2
<b>TOTAL CASES DISPOSED .....</b>	<b>681</b>	<b>520</b>	<b>1,201</b>	<b>312</b>	<b>521</b>	<b>833</b>	<b>413</b>	<b>288</b>	<b>701</b>	<b>458</b>	<b>367</b>	<b>825</b>
Cases pending August 31, 1993:												
Pending up to 6 months .....	172	266	438	89	297	386	147	137	284	143	163	306
Pending from 6 to 12 months .....	131	233	364	50	201	251	76	64	140	63	107	170
Pending from 12 to 24 months .....	107	104	211	12	101	113	20	68	88	20	29	49
Pending over 24 months .....	56	43	99	4	2	6	2	5	7	4	3	7
<b>TOTAL CASES PENDING AUGUST 31, 1993 .</b>	<b>466</b>	<b>646</b>	<b>1,112</b>	<b>155</b>	<b>601</b>	<b>756</b>	<b>245</b>	<b>274</b>	<b>519</b>	<b>230</b>	<b>302</b>	<b>532</b>
Avg. time between filing & disposition (months) .....	10.2	12.4	11.1	8.6	14.8	12.5	8.7	9.8	9.2	7.4	9.7	8.5
Avg. time between submission & disposition (months) .....	4.3	2.7	3.3	3.9	3.0	3.3	2.8	1.4	2.2	3.2	1.7	2.4

# COURTS OF APPEALS

## ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993

(CONT.)

	Dallas-5th 13 Justices			Texarkana-6th 3 Justices			Amarillo-7th 4 Justices			El Paso-8th 4 Justices		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1992 .....	392	2,088	2,480	72	159	231	98	153	251	122	294	416
New cases filed during year ended August 31, 1993 .....	627	1,653	2,280	77	80	157	147	119	266	185	196	381
Rehearings granted .....	14	3	17	0	2	2	4	2	6	7	2	9
Cases reinstated .....	5	5	10	1	0	1	5	25	30	0	3	3
Cases remanded from higher courts .....	1	7	8	1	5	6	1	7	8	0	4	4
Cases transferred in .....	0	1	1	19	33	52	25	75	100	19	31	50
Cases transferred out .....	-53	-148	-201	0	0	0	0	0	0	-1	-1	-2
<b>TOTAL CASES ON DOCKET .....</b>	<b>986</b>	<b>3,609</b>	<b>4,595</b>	<b>170</b>	<b>279</b>	<b>449</b>	<b>280</b>	<b>381</b>	<b>661</b>	<b>332</b>	<b>529</b>	<b>861</b>
Cases affirmed .....	194	770	964	40	160	200	71	158	229	60	173	233
Cases modified and/or reformed and affirmed .....	8	26	34	2	5	7	2	0	2	3	12	15
Cases affirmed in part and in part reversed and remanded .....	15	0	15	4	4	8	8	0	8	6	0	6
Cases affirmed in part and in part reversed and rendered .....	1	0	1	0	0	0	2	0	2	5	0	5
Cases reversed and remanded .....	58	32	90	18	4	22	31	15	46	28	28	56
Cases reversed and rendered .....	12	5	17	7	2	9	6	6	12	8	12	20
Cases otherwise disposed .....	190	118	308	8	1	9	36	18	54	35	7	42
Cases dismissed .....	157	128	285	41	19	60	36	26	62	58	42	100
Case consolidations or voids .....	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL CASES DISPOSED .....</b>	<b>635</b>	<b>1,079</b>	<b>1,714</b>	<b>120</b>	<b>195</b>	<b>315</b>	<b>192</b>	<b>223</b>	<b>415</b>	<b>203</b>	<b>274</b>	<b>477</b>
Cases pending August 31, 1993:												
Pending up to 6 months .....	161	573	734	44	68	112	77	122	199	84	119	203
Pending from 6 to 12 months .....	120	686	806	3	7	10	7	24	31	38	65	103
Pending from 12 to 24 months .....	55	1,195	1,250	3	9	12	4	10	14	7	69	76
Pending over 24 months .....	15	76	91	0	0	0	0	2	2	0	2	2
<b>TOTAL CASES PENDING AUGUST 31, 1993 .....</b>	<b>351</b>	<b>2,530</b>	<b>2,881</b>	<b>50</b>	<b>84</b>	<b>134</b>	<b>88</b>	<b>158</b>	<b>246</b>	<b>129</b>	<b>255</b>	<b>384</b>
Avg. time between filing & disposition (months) .....	7.3	11.8	10.1	6.0	9.5	8.1	8.3	8.6	8.5	8.7	11.1	10.1
Avg. time between submission & disposition (months) .....	1.5	0.7	1.0	1.3	0.9	1.0	2.1	0.6	1.3	2.1	1.5	1.7

**COURTS OF APPEALS**  
**ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993**  
*(CONT.)*

	<b>Beaumont-9th 3 Justices</b>			<b>Waco-10th 3 Justices</b>			<b>Eastland-11th 3 Justices</b>			<b>Tyler-12th 3 Justices</b>		
	<u>Civil</u>	<u>Crim</u>	<u>Total</u>	<u>Civil</u>	<u>Crim</u>	<u>Total</u>	<u>Civil</u>	<u>Crim</u>	<u>Total</u>	<u>Civil</u>	<u>Crim</u>	<u>Total</u>
Cases pending September 1, 1992 .....	95	125	220	77	151	228	79	117	196	143	170	313
New cases filed during year ended August 31, 1993 .....	184	167	351	59	110	169	74	106	180	176	145	321
Rehearings granted .....	0	0	0	2	0	2	2	0	2	5	4	9
Cases reinstated .....	2	5	7	8	5	13	11	19	30	0	0	0
Cases remanded from higher courts .....	0	10	10	0	0	0	0	7	7	2	4	6
Cases transferred in .....	0	0	0	15	36	51	28	74	102	1	0	1
Cases transferred out .....	0	0	0	0	0	0	-1	0	-1	-1	-2	-3
<b>TOTAL CASES ON DOCKET .....</b>	<b>281</b>	<b>307</b>	<b>588</b>	<b>161</b>	<b>302</b>	<b>463</b>	<b>193</b>	<b>323</b>	<b>516</b>	<b>326</b>	<b>321</b>	<b>647</b>
Cases affirmed .....	41	107	148	52	146	198	54	114	168	71	91	162
Cases modified and/or reformed and affirmed .....	4	2	6	5	1	6	5	2	7	0	0	0
Cases affirmed in part and in part reversed and remanded .....	4	1	5	5	6	11	3	0	3	4	0	4
Cases affirmed in part and in part reversed and rendered .....	1	1	2	0	0	0	3	0	3	0	0	0
Cases reversed and remanded .....	24	15	39	21	20	41	9	8	17	29	20	49
Cases reversed and rendered .....	1	0	1	5	0	5	6	0	6	6	0	6
Cases otherwise disposed .....	43	5	48	7	0	7	14	24	38	40	9	49
Cases dismissed .....	56	33	89	15	15	30	38	20	58	63	17	80
Case consolidations or voids .....	0	0	0	0	0	0	0	0	0	3	8	11
<b>TOTAL CASES DISPOSED .....</b>	<b>174</b>	<b>164</b>	<b>338</b>	<b>110</b>	<b>188</b>	<b>298</b>	<b>132</b>	<b>168</b>	<b>300</b>	<b>216</b>	<b>145</b>	<b>361</b>
Cases pending August 31, 1993:												
Pending up to 6 months .....	64	78	142	40	86	126	50	116	166	52	62	114
Pending from 6 to 12 months .....	38	44	82	6	23	29	7	24	31	30	59	89
Pending from 12 to 24 months .....	5	21	26	5	5	10	4	14	18	17	27	44
Pending over 24 months .....	0	0	0	0	0	0	0	1	1	11	28	39
<b>TOTAL CASES PENDING AUGUST 31, 1993 ....</b>	<b>107</b>	<b>143</b>	<b>250</b>	<b>51</b>	<b>114</b>	<b>165</b>	<b>61</b>	<b>155</b>	<b>216</b>	<b>110</b>	<b>176</b>	<b>286</b>
Avg. time between filing & disposition (months) .....	6.7	9.7	8.2	7.6	9.2	8.6	7.0	8.9	8.1	12.5	21.3	16.11
Avg. time between submission & disposition (months) .....	1.7	1.7	1.7	2.2	1.5	1.8	2.3	1.2	1.7	1.4	3.0	2.0

**COURTS OF APPEALS**  
**ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993**  
 (CONT.)

	Corpus Christi-13th 6 Justices			Houston-14th 9 Justices			Grand Totals		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1992 .....	238	323	561	434	628	1,062	3,047	5,868	8,915
New cases filed during year ended August 31, 1993 .....	354	278	632	552	643	1,195	4,056	5,364	9,420
Rehearings granted .....	4	2	6	11	11	22	86	35	121
Cases reinstated .....	2	1	3	1	1	2	59	83	142
Cases remanded from higher courts .....	0	2	2	0	1	1	12	60	72
Cases transferred in .....	11	16	27	1	0	1	119	268	387
Cases transferred out .....	0	-3	-3	-37	-63	-100	-119	-268	-387
<b>TOTAL CASES ON DOCKET .....</b>	<b>609</b>	<b>619</b>	<b>1,228</b>	<b>962</b>	<b>1,221</b>	<b>2,183</b>	<b>7,260</b>	<b>11,410</b>	<b>18,670</b>
Cases affirmed .....	66	207	273	165	461	626	1,373	3,552	4,925
Cases modified and/or reformed and affirmed ...	13	12	25	7	7	14	88	80	168
Cases affirmed in part and in part reversed and remanded .....	10	1	11	9	5	14	117	21	138
Cases affirmed in part and in part reversed and rendered .....	6	0	6	3	0	3	52	5	57
Cases reversed and remanded .....	39	36	75	52	34	86	494	397	891
Cases reversed and rendered .....	19	0	19	12	1	13	143	26	169
Cases otherwise disposed .....	84	1	85	152	4	156	978	238	1,216
Cases dismissed .....	80	79	159	234	74	308	1,345	726	2,071
Case consolidations or voids .....	0	0	0	0	3	3	7	12	19
<b>TOTAL CASES DISPOSED .....</b>	<b>317</b>	<b>336</b>	<b>653</b>	<b>634</b>	<b>589</b>	<b>1,223</b>	<b>4,597</b>	<b>5,057</b>	<b>9,654</b>
Cases pending August 31, 1993:									
Pending up to 6 months .....	140	133	273	150	243	393	1,413	2,463	3,876
Pending from 6 to 12 months .....	88	100	188	134	227	361	791	1,864	2,655
Pending from 12 to 24 months .....	64	48	112	39	156	195	362	1,856	2,218
Pending over 24 months .....	0	2	2	5	6	11	97	170	267
<b>TOTAL CASES PENDING AUGUST 31, 1993</b>	<b>292</b>	<b>283</b>	<b>575</b>	<b>328</b>	<b>632</b>	<b>960</b>	<b>2,663</b>	<b>6,353</b>	<b>9,016</b>
Avg. time between filing & disposition (months) .....	9.7	11.2	10.5	7.6	13.2	10.3	8.3	11.5	10.0
Avg. time between submission & disposition (months) .....	6.6	3.5	4.8	1.0	1.8	1.4	2.6	1.8	2.1



# COURTS OF APPEALS

## ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993

### OPINIONS WRITTEN BY JUSTICES OF THE COURTS OF APPEALS

COURT AND JUSTICES	Original Opinions On Merits	Concurring Opinions	Dissenting Opinions	Opinions Refusing Rehearing	*Opinions Granting Rehearing	Opinions Dismissing Appeal	Other Opinions	Per Curiam Opinions	TOTAL PER JUSTICE	TOTAL PER COURT
<b>FIRST, HOUSTON</b>										
Alice Oliver-Parrott	65	1	2	0	1	1	0	52	122	
Lee Duggan, Jr.	74	1	3	0	1	2	0	55	136	
Murry B. Cohen	78	4	5	2	0	1	0	55	145	
D. Camille Dunn	83	3	3	0	2	3	0	60	154	
Margaret Garner Mirabal	84	4	5	1	0	1	0	59	154	
Michol O'Connor	72	3	13	1	0	3	0	55	147	
Davie L. Wilson	59	2	10	1	0	0	0	56	128	
<sup>1</sup> Adele Hedges	51	0	1	0	0	1	0	39	92	
<sup>2</sup> Eric Andell	0	0	0	0	0	0	0	1	1	
<sup>3</sup> Sam Bass	73	1	0	2	0	2	0	50	128	
<sup>4</sup> Gaynelle Griffin Jones	17	0	0	0	0	1	0	14	32	
**Assigned Justices	39	0	0	1	0	0	0	0	40	1,279
<b>SECOND, FORT WORTH</b>										
<sup>5</sup> John G. Hill	86	1	15	2	0	19	3	13	139	
David Farris	142	0	4	0	0	19	1	23	189	
Hal M. Lattimore	61	2	1	0	0	20	0	22	106	
Sam Day	111	0	1	0	0	19	1	23	155	
<sup>6</sup> H. Tod Weaver	61	0	0	0	0	21	0	27	109	
<sup>7</sup> Maryellen W. Hicks	44	0	0	0	0	9	0	5	58	
<sup>8</sup> Sidney C. Farrar, Jr.	29	0	0	0	0	10	0	2	41	
<sup>9</sup> Lawrence E. Meyers	28	48	0	0	0	9	0	4	89	
**Assigned Justices	30	3	1	0	0	3	2	1	40	926
<b>THIRD, AUSTIN</b>										
Jimmy Carroll	32	0	0	0	0	0	2	80	114	
John Powers	35	0	3	0	0	1	0	79	118	
Marilyn Aboussie	39	0	1	0	0	1	0	79	120	
Woodie Jones	37	1	1	0	0	1	0	79	119	
Mack Kidd	41	0	0	0	0	1	0	79	121	
Bea Ann Smith	43	0	0	0	0	2	1	79	125	
**Assigned Justices	51	0	0	0	0	0	0	0	51	768
<b>FOURTH, SAN ANTONIO</b>										
<sup>10</sup> Alfonso Chapa	72	8	0	0	0	5	12	23	120	
Shirley M. Butts	64	3	3	0	0	1	2	29	102	
David Peebles	73	7	6	0	0	1	5	33	125	
Fred Biery	78	6	0	0	0	1	10	36	131	
Orlando L. Garcia	81	2	0	0	0	0	7	31	121	
<sup>11</sup> Tom Rickhoff	26	2	0	0	0	0	3	16	47	
<sup>12</sup> Ron Carr	16	0	0	0	0	1	0	6	23	
<sup>13</sup> Blair Reeves	43	1	1	0	0	2	4	21	72	
**Assigned Justices	44	0	0	0	0	1	1	0	46	787
<b>FIFTH, DALLAS</b>										
<sup>14</sup> Charles W. McGarry	8	0	2	0	0	0	1	2	13	
James A. Baker	141	0	1	0	0	3	1	26	172	
Sue Lagarde	63	1	0	1	0	0	0	30	95	
Linda Thomas	53	0	0	0	0	0	0	24	77	
Ed Kinkeade	59	0	5	4	0	1	0	44	113	
John Ovard	46	0	0	0	0	0	0	30	76	
Joe Burnett	81	0	0	1	0	1	0	31	114	
Frances Maloney	82	0	1	0	0	0	1	5	89	
Barbara Rosenberg	57	0	1	0	0	0	0	32	90	
<sup>15</sup> Ron Chapman	48	0	2	0	0	0	0	30	80	
<sup>16</sup> Mark Whittington	33	0	0	0	0	0	0	20	53	
<sup>17</sup> William A. Barber	36	1	1	0	0	0	0	27	66	
<sup>18</sup> Joseph B. Morris	47	1	0	0	0	0	0	31	79	
<sup>19</sup> Craig T. Enoch	9	0	0	0	0	0	5	8	22	
<sup>20</sup> Jeff Kaplan	18	0	2	1	0	0	0	0	21	
<sup>21</sup> Annette Stewart	19	0	0	0	0	0	0	5	24	
<sup>22</sup> Kevin Wiggins	13	0	0	0	0	0	0	7	20	
**Assigned Justices	25	0	2	0	0	0	0	1	28	1,231
<b>SIXTH, TEXARKANA</b>										
William J. Cornelius	78	4	0	2	0	22	2	6	114	
Charles Bleil	85	6	4	1	0	19	3	9	127	
Ben Z. Grant	86	1	1	6	2	17	4	9	126	
**Assigned Justices	3	0	0	1	0	0	2	0	6	373
<b>SEVENTH, AMARILLO</b>										
Charles L. Reynolds	77	4	1	2	1	14	0	9	108	
Carlton B. Dodson	69	1	1	2	0	15	5	12	105	
John T. Boyd	69	3	0	3	0	13	9	5	102	
H. Bryan Poff, Jr.	82	1	0	10	0	15	3	1	112	427

# COURTS OF APPEALS

## ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1993

(CONT.)

### OPINIONS WRITTEN BY JUSTICES OF THE COURTS OF APPEALS

COURT AND JUSTICES	Original Opinions On Merits	Concurring Opinions	Dissenting Opinions	Opinions Refusing Rehearing	*Opinions Granting Rehearing	Opinions Dismissing Appeal	Other Opinions	Per Curiam Opinions	TOTAL PER JUSTICE	TOTAL PER COURT
<b>EIGHTH, EL PASO</b>										
Max N. Osborn	67	6	0	0	0	0	7	15	95	
Ward L. Koehler	90	1	2	0	0	1	0	13	107	
Richard Barajas	86	6	0	0	0	1	0	16	109	
Susan J. Larsen	70	4	1	0	0	2	1	10	88	
**Assigned Justices	1	0	2	0	0	0	0	1	4	403
<b>NINTH, BEAUMONT</b>										
Ronald L. Walker	68	3	1	0	0	1	0	36	109	
Jack Brookshire	63	9	6	0	0	1	0	34	113	
Don Burgess	52	10	17	0	0	0	0	43	122	
**Assigned Justices	3	0	1	0	0	1	0	0	5	349
<b>TENTH, WACO</b>										
Bob L. Thomas	59	2	2	4	0	0	0	10	77	
Bob Cummings	66	0	0	3	0	0	0	20	89	
Bill Vance	63	3	5	3	1	0	0	26	101	
**Assigned Justices	50	0	0	1	0	0	0	0	51	318
<b>ELEVENTH, EASTLAND</b>										
Austin McCloud	38	0	0	0	0	1	1	56	96	
Bob Dickenson	48	1	0	4	0	0	0	45	98	
William G. (Bud) Arnot, III	40	0	1	2	0	1	0	49	93	287
<b>TWELFTH, TYLER</b>										
Tom B. Ramey, Jr.	32	1	0	5	0	1	0	43	82	
Bill Bass	83	1	1	0	0	2	3	44	134	
<sup>23</sup> Charles R. Holcomb	49	0	0	3	0	1	0	27	80	
<sup>24</sup> Paul S. Colley	20	0	0	0	0	0	0	12	32	
**Assigned Justices	19	0	0	1	3	0	0	0	23	351
<b>THIRTEENTH, CORPUS CHRISTI</b>										
<sup>25</sup> Robert R. Seerden	83	0	1	2	0	1	0	27	114	
Noah Kennedy	64	0	0	2	0	1	0	32	99	
J. Bonner Dorsey	68	2	0	1	0	0	0	30	101	
Gilberto Hinojosa	82	0	2	1	1	0	0	26	112	
Federico G. Hinojosa, Jr.	66	1	1	2	1	1	1	27	100	
<sup>26</sup> Linda Reyna Yanez	0	0	0	0	0	0	0	1	1	
<sup>27</sup> Paul W. Nye	53	1	1	4	0	1	0	19	79	
**Assigned Justices	7	0	1	1	0	0	0	0	9	615
<b>FOURTEENTH, HOUSTON</b>										
J. Curtiss Brown	83	2	1	0	0	3	0	46	135	
Paul C. Murphy	70	0	1	0	0	0	0	48	119	
Sam Robertson	81	3	6	0	0	4	0	48	142	
Ross A. Sears	73	0	8	0	0	4	2	49	136	
Bill Cannon	83	1	0	0	0	1	0	49	134	
Joe L. Draughn	73	1	3	0	0	2	0	52	131	
George T. Ellis	178	0	1	0	0	5	0	50	234	
<sup>28</sup> Gary Bowers	28	1	11	0	0	1	0	39	80	
<sup>29</sup> Norman Lee	45	0	0	0	0	2	0	34	81	
<sup>30</sup> William E. Junell	24	0	0	0	0	1	0	10	35	
<sup>31</sup> Paul Pressler	4	0	0	0	0	0	0	3	7	
**Assigned Justices	22	0	0	0	0	1	0	8	31	1,265
<b>TOTALS</b>	<b>5,699</b>	<b>185</b>	<b>179</b>	<b>84</b>	<b>13</b>	<b>328</b>	<b>105</b>	<b>2,786</b>	<b>9,379</b>	<b>9,379</b>

\*Ordinarily, these are comparable to original opinions on the merits.

\*\*Retired Appellate Justices assigned by the Chief Justice of the Supreme Court.

<sup>1</sup>Adele Hedges was elected Justice effective January 1, 1993, to replace Gaynelle Jones who was defeated for reelection.

<sup>2</sup>Eric Andell was appointed Justice effective July 9, 1993, to replace Sam H. Bass, Jr. who retired.

<sup>3</sup>Sam H. Bass, Jr. retired.

<sup>4</sup>Gaynelle Griffin Jones was defeated for reelection.

<sup>5</sup>John G. Hill was appointed Chief Justice effective January 27, 1993, to replace H. Tod Weaver who was elected Justice, Place 3.

<sup>6</sup>H. Tod Weaver was elected Justice, Place 3 effective January 1, 1993, to replace Joe Spurlock II who did not seek reelection.

<sup>7</sup>Maryellen W. Hicks was appointed Justice effective January 1, 1993, to replace Lawrence E. Meyers who was elected to the Court of Criminal Appeals.

<sup>8</sup>Sidney C. Farrar, Jr. was appointed Justice, Place 7 effective February 17, 1993, to replace John G. Hill who was appointed Chief Justice.

<sup>9</sup>Lawrence E. Meyers was elected to the Court of Criminal Appeals.

<sup>10</sup>Alfonso Chapa was appointed Chief Justice effective October 13, 1993, to replace Blair Reeves who retired.

<sup>11</sup>Tom Rickhoff was elected Justice effective January 1, 1993, to replace Ron Carr who was defeated for reelection.

<sup>12</sup>Ron Carr was defeated for reelection.

<sup>13</sup>Blair Reeves retired.

<sup>14</sup>Charles W. McGarry was appointed Chief Justice effective April 6, 1993, to replace Craig T. Enoch who was elected to the Supreme Court.

<sup>15</sup>Ron Chapman was elected Justice effective January 1, 1993, to replace Annette Stewart who did not seek reelection.

<sup>16</sup>Mark Whittington was elected Justice effective January 1, 1993, to replace Ron Chapman who was elected to another seat on the Court.

<sup>17</sup>William A. Barber was elected Justice effective January 1, 1993, to replace Jeff Kaplan who was defeated for reelection.

<sup>18</sup>Joseph B. Morris was elected Justice effective January 1, 1993, to replace Kevin Wiggins who was defeated for reelection.

<sup>19</sup>Craig T. Enoch was elected to the Supreme Court.

<sup>20</sup>Jeff Kaplan was defeated for reelection.

<sup>21</sup>Annette Stewart did not seek reelection.

<sup>22</sup>Kevin Wiggins was defeated for reelection.

<sup>23</sup>Charles R. Holcomb was elected Justice effective January 1, 1993, to replace Paul S. Colley who was defeated for reelection.

<sup>24</sup>Paul S. Colley was defeated for reelection.

<sup>25</sup>Robert R. Seerden was appointed Chief Justice effective July 12, 1993, to replace Paul W. Nye who retired.

<sup>26</sup>Linda Reyna Yanez was appointed Justice effective August 6, 1993, to replace Robert R. Seerden who was appointed Chief Justice.

<sup>27</sup>Paul W. Nye retired.

<sup>28</sup>Gary Bowers was elected Justice effective January 1, 1993, to replace William E. Junell who did not seek reelection. Justice Bowers died October 1, 1993.

<sup>29</sup>Norman Lee was elected Justice effective January 1, 1993, to replace Paul Pressler who did not seek reelection.

<sup>30</sup>William E. Junell did not seek reelection.

<sup>31</sup>Paul Pressler did not seek reelection.

# COURTS OF APPEALS

## Activity for the Year Ended August 31, 1993

### COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1993

<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>	<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>
Dallas	619	1,677	2,297	Randall	8	8	16
Harris	497	663	1,160	Rusk	12	4	16
Tarrant	191	399	590	Cherokee	6	9	15
Bexar	310	269	579	Palo Pinto	5	10	15
Travis	245	132	377	Atascosa	4	10	14
El Paso	92	108	200	Caldwell	1	12	13
Nueces	88	91	179	Erath	5	8	13
Denton	45	102	147	Hale	1	12	13
Jefferson	63	80	143	Aransas	6	5	11
Collin	46	94	140	Coryell	4	7	11
Smith	56	78	134	De Witt	3	8	11
Cameron	75	42	117	Navarro	6	5	11
Hidalgo	82	31	113	Polk	6	5	11
Taylor	27	45	72	Eastland	1	9	10
Lubbock	32	36	68	Harrison	9	1	10
Ector	21	43	64	Hockley	5	5	10
Bell	19	44	63	Panola	6	4	10
Anderson	35	24	59	Titus	2	8	10
Brazoria	35	18	53	Val Verde	3	7	10
Potter	19	34	53	Willacy	5	5	10
Montgomery	24	27	51	Bastrop	4	5	9
Brazos	11	39	50	Frio	1	8	9
Galveston	30	19	49	Jasper	6	3	9
San Patricio	5	40	45	Brown	8	0	8
Victoria	18	26	44	Cooke	3	5	8
Midland	21	21	42	Fannin	4	4	8
Williamson	24	17	41	Jim Wells	5	3	8
McLennan	11	29	40	Maverick	6	2	8
Hays	7	32	39	Scurry	4	4	8
Webb	30	9	39	Shelby	6	2	8
Bowie	14	20	34	Starr	6	2	8
Gregg	24	10	34	Ward	5	3	8
Grayson	17	16	33	Wilson	3	5	8
Wichita	9	23	32	Fayette	2	5	7
Liberty	8	23	31	Goliad	3	4	7
Fort Bend	17	12	29	Jackson	3	4	7
Comal	18	10	28	Kendall	4	3	7
Kerr	8	20	28	Kleburg	6	1	7
Guadalupe	10	17	27	Lavaca	7	0	7
Orange	13	13	26	Lee	7	0	7
Johnson	11	14	25	Pecos	2	5	7
Lamar	6	19	25	Robertson	5	2	7
Tom Green	14	10	24	Van Zandt	7	0	7
Walker	19	5	24	Waller	2	5	7
Milam	12	11	23	Wood	2	5	7
Ellis	6	16	22	Andrews	5	1	6
Angelina	9	11	20	Bosque	2	4	6
Hunt	5	15	20	Burnet	5	1	6
Nacogdoches	9	11	20	Calhoun	5	1	6
Rockwall	6	14	20	Camp	0	6	6
Hood	10	9	19	Gaines	3	3	6
Houston	16	3	19	Henderson	5	1	6
Bee	8	10	18	Howard	4	2	6
Wharton	16	2	18	Leon	2	4	6
Chambers	7	9	16	Live Oak	2	4	6
Matagorda	15	1	16	San Saba	3	3	6
Parker	5	11	16	Stephens	4	2	6

**COURTS OF APPEALS**  
**Activity for the Year Ended August 31, 1993**  
 (CONT.)

**COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF  
 APPEALS DURING FISCAL YEAR 1993**

<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>	<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>
Young	0	6	6	Crane	0	2	2
Baylor	0	5	5	Dawson	0	2	2
Burleson	2	3	5	Falls	0	2	2
Deaf Smith	3	2	5	Karnes	1	1	2
Duval	4	1	5	Knox	0	2	2
Gonzales	4	1	5	Llano	2	0	2
Gray	2	3	5	Mason	1	1	2
Grimes	0	5	5	Menard	2	0	2
Hartley	4	1	5	Mills	2	0	2
Hopkins	1	4	5	Morris	0	2	2
Jones	3	2	5	Nolan	2	0	2
Kaufman	4	1	5	Parmer	1	1	2
Kimble	2	3	5	Rains	2	0	2
Mitchell	2	3	5	San Augustine	2	0	2
Sabine	5	0	5	Swisher	1	1	2
San Jacinto	2	3	5	Archer	1	0	1
Uvalde	4	1	5	Blanco	0	1	1
Wheeler	3	2	5	Callahan	1	0	1
Wilbarger	2	3	5	Clay	0	1	1
Wise	4	1	5	Colorado	0	1	1
Austin	2	2	4	Concho	1	0	1
Bailey	4	0	4	Culberson	1	0	1
Brooks	3	1	4	Delta	0	1	1
Childress	3	1	4	Dimmitt	1	0	1
Comanche	1	3	4	Foard	1	0	1
Dallam	3	1	4	Glasscock	0	1	1
Floyd	1	3	4	Hall	0	1	1
Freestone	0	4	4	Hardeman	1	0	1
Gillespie	0	4	4	Hill	0	1	1
Haskell	2	2	4	Hutchinson	0	1	1
Marion	2	2	4	Jack	1	0	1
Montague	2	2	4	Jeff Davis	1	0	1
Ochiltree	4	0	4	Kenedy	1	0	1
Red River	4	0	4	Kent	1	0	1
Refugio	0	4	4	Kinney	0	1	1
Runnels	3	1	4	Lamb	1	0	1
Sherman	4	0	4	Lynn	1	0	1
Upshur	3	1	4	Motley	1	0	1
Washington	2	2	4	Reeves	1	0	1
Winkler	2	2	4	Schleicher	0	1	1
Zavala	4	0	4	Stonewall	0	1	1
Coleman	0	3	3	Terrell	1	0	1
Franklin	0	3	3	Tyler	1	0	1
Hardin	3	0	3	Upton	1	0	1
Lampasas	0	3	3				
Limestone	0	3	3				
Lipscomb	3	0	3				
Madison	1	2	3				
Medina	0	3	3				
Shackelford	2	1	3				
Terry	2	1	3				
Yoakum	2	1	3				
Zapata	2	1	3				
Brewster	2	0	2				
Briscoe	2	0	2				
Carson	0	2	2				
Cass	0	2	2				