

COURT OF CRIMINAL APPEALS ACTIVITY: FY 2007

	<i>Pending: 9/1/2006¹</i>	<i>Cases Added</i>	<i>Total on Docket</i>	<i>Dispositions</i>	<i>Pending: 8/31/2007</i>
Regular Appeals					
Direct Appeals: <i>Death Penalty</i>	41	16	57	19	38
<i>DNA Appeal-Death Sentence</i>	0	2	2	0	2
<i>Habeas Corpus & Extraordinary Matters</i>	32	237	269	249	20
Petitions for Discretionary Review	341	1,532	1,873	1,558	315
Granted Petitions for Discretionary Review	156	149	305	173	132
Redrawn Petitions for Discretionary Review	15	129	144	141	3
SUBTOTAL	585	2,065	2,650	2,140	510
Applications for Writ of Habeas Corpus					
11.07 Writs (other than death penalty)	691	5,489	6,180	5,531	649
11.071 Writs (death penalty)	55	62	117	82	35
Supplemental 11.07 Writs (other than death penalty)	98	434	532	469	63
Supplemental 11.071 Writs (death penalty)	8	27	35	26	9
2 nd or 3 rd Supplemental Received 11.07 (other than death penalty)	5	48	53	47	6
2 nd Supplemental Received 11.071 (death penalty)	1	0	1	1	0
Reinstated Writs	2	0	2	2	0
SUBTOTAL	860	6,060	6,920	6,158	762
Original Proceedings²					
Writs of Certiorari	0	3	3	3	0
Writs of Habeas Corpus	3	32	35	30	5
Supplemental Received Writ of Habeas Corpus	0	1	1	1	0
Writs of Mandamus	80	704	784	720	64
Supplemental Received Writ of Mandamus	16	177	193	165	28
2 nd Supplemental Received Writ of Mandamus	0	2	2	2	0
Writs of Prohibition	1	3	4	3	1
SUBTOTAL	100	922	1,022	924	98
Motions for Rehearing & Reconsideration					
Rehearing on Direct Appeal	0	3	3	2	1
Rehearing on Refused Petitions for Discretionary Review	0	26	26	26	0
Rehearing on Granted Petitions for Discretionary Review	1	28	29	19	10
Rehearing on Habeas Corpus (filed & set)	0	10	10	10	0
Motions for Reconsideration (for original proceedings & 11.07 writs)	1	19	20	17	3
Motions for Stay of Execution (for 11.071 writs)	1	24	25	25	0
SUBTOTAL	3	110	113	99	14
Motions for Extensions of Time³					
	0	1,608	1,608	1,608	0
TOTAL	1,548	10,765	12,313	10,929	1,384

PENDING CASE STATUS: FY 2007

	9/1/2006			<i>Total Pending</i>	8/31/2007			<i>Total Pending</i>
	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>		<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	
Direct Appeal: Death Penalty	25	4	21	50	17	3	17	37
Direct Appeal: DNA Appeal	1	1	0	2	1	0	1	2
Direct Appeal: Habeas Corpus & Extraordinary Matters	5	9	19	33	8	1	9	18
Granted Petitions for Discretionary Review	22	22	52	96	23	15	94	132
TOTAL	53	36	92	181	49	19	121	189

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 2007

<p>Direct Appeals:</p> <p><i>Death Penalty</i></p> <table border="0" style="width: 100%;"> <tr> <td style="padding-left: 20px;">Affirmed</td> <td style="text-align: right;">15</td> </tr> <tr> <td style="padding-left: 20px;">Reversed and remanded</td> <td style="text-align: right;">4</td> </tr> <tr> <td>TOTAL: Death Penalty</td> <td style="text-align: right;">19</td> </tr> </table> <p><i>DNA Appeal</i></p> <table border="0" style="width: 100%;"> <tr> <td style="padding-left: 20px;">Affirmed</td> <td style="text-align: right;">0</td> </tr> <tr> <td style="padding-left: 20px;">Dismissed</td> <td style="text-align: right;">0</td> </tr> <tr> <td>TOTAL: DNA Appeal</td> <td style="text-align: right;">0</td> </tr> </table> <p><i>Habeas Corpus & Extraordinary Matters</i></p> <table border="0" style="width: 100%;"> <tr> <td style="padding-left: 20px;">Habeas corpus application granted</td> <td style="text-align: right;">222</td> </tr> <tr> <td style="padding-left: 20px;">Habeas corpus 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Motion for leave to file original writ of habeas corpus – denied	29																																																																																																																																																																								
Motion for leave to file original writ of habeas corpus held in abeyance w/ written order	1																																																																																																																																																																								
Original mandamus dismissed	4																																																																																																																																																																								
Original mandamus filed & set	3																																																																																																																																																																								
Original mandamus conditionally granted	1																																																																																																																																																																								
Motion for leave to file denied - Padilla	69																																																																																																																																																																								
Motion for leave to file original mandamus denied w/o order	656																																																																																																																																																																								
Motion for leave to file original mandamus denied w/ written order	1																																																																																																																																																																								
Motion for leave to file original mandamus held in abeyance w/ written order	154																																																																																																																																																																								
Motion for leave to file writ of prohibition denied w/o written order	3																																																																																																																																																																								
TOTAL: Original Proceedings	924																																																																																																																																																																								
Motion for reconsideration denied	4																																																																																																																																																																								
Motion for reconsideration granted	13																																																																																																																																																																								
Motion for stay of execution denied	16																																																																																																																																																																								
Motion for stay of execution denied with written order	3																																																																																																																																																																								
Motion for stay of execution granted with written order	4																																																																																																																																																																								
Motion for stay of execution dismissed with order	2																																																																																																																																																																								
TOTAL: Motions for Reconsideration and Stay of Execution	42																																																																																																																																																																								

<i>Judge</i>	<i>Signed</i>	<i>Per Curiam</i>	<i>Concurring</i>	<i>Dissenting</i>	<i>Concurring & Dissenting</i>	<i>Denial of Rehearing</i>	<i>Grant of Rehearing</i>	TOTAL
Keller	19	31	23	15	0	0	0	88
Meyers	23	26	4	10	0	0	0	63
Price	44	30	10	3	0	0	0	87
Womack	15	25	5	9	0	0	0	54
Johnson	20	23	6	5	0	0	0	54
Keasler	27	27	2	0	0	0	0	56
Hervey	19	25	2	8	0	1	0	55
Holcomb	18	21	0	4	0	0	0	43
Cochran	24	27	11	13	0	0	0	75
TOTAL	209	235	63	67	0	1	0	575

MANNER OF DISPOSITION: Motions for Rehearing, FY 2007

	<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	4	0	0	0	0	4
Rehearing on DNA appeal	0	0	0	0	0	0	0
Rehearing on habeas corpus and extraordinary matters	1	9	0	1	0	0	11
Rehearing on refused petitions for discretionary review	2	19	0	2	0	0	23
Rehearing on granted petitions for discretionary review	0	17	1	1	0	0	19
TOTAL	3	49	1	4	0	0	57

PETITIONS FOR REVIEW FILED BY COUNTY: FY 2007

<i>County</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>
Anderson	6	0	2	0
Andrews	2	0	0	0
Angelina	9	4	6	0
Aransas	1	0	1	0
Archer	1	0	1	0
Armstrong	0	0	0	0
Atascosa	1	0	2	0
Austin	0	0	0	0
Bailey	1	0	1	0
Bandera	0	0	0	0
Bastrop	1	0	0	0
Bee	2	0	2	0
Bell	21	0	19	0
Bexar	54	8	40	0
Bosque	2	0	0	0
Bowie	10	2	7	0
Brazoria	17	4	14	0
Brazos	10	1	11	0
Briscoe	0	0	0	0
Brooks	0	0	0	0
Brown	0	0	2	0
Burleson	1	3	0	0
Burnet	1	0	1	0
Caldwell	7	1	5	0
Cameron	9	0	8	0
Cass	3	0	4	0
Castro	2	0	2	0
Chambers	3	1	3	0
Childress	0	0	0	0
Collin	33	1	28	0
Collingsworth	1	0	0	0
Comal	7	0	2	0
Comanche	1	0	2	0
Concho	6	0	6	0
Cooke	1	1	0	0
Coryell	1	0	0	0
Crockett	1	0	1	0
Dallam	1	0	0	0
Dallas	183	15	143	0
Dawson	0	0	0	0
Deaf Smith	0	0	0	0
Delta	0	0	0	0
Denton	38	5	37	0
De Witt	1	0	1	0
Dimmit	0	0	0	0
Duval	0	0	0	0
Eastland	4	1	3	0
Ector	4	0	3	0
Edwards	0	0	0	0
El Paso	32	6	22	0
Ellis	6	0	7	0
Erath	4	0	4	0
Falls	2	0	3	0
Fannin	3	0	2	0
Fayette	0	0	0	0
Floyd	0	0	0	0
Fort Bend	21	0	20	0
Franklin	2	0	2	0
Freestone	0	0	0	0
Frio	0	0	1	0
Gaines	1	0	1	0
Galveston	17	0	15	0
Garza	1	0	0	0
Gillespie	1	2	0	0

<i>County</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>
Goliad	0	0	0	0
Gonzales	2	0	1	0
Gray	3	0	0	0
Grayson	3	0	3	0
Gregg	20	0	20	0
Grimes	0	0	0	0
Guadalupe	0	0	1	0
Hale	1	0	1	0
Hamilton	1	0	0	0
Hardin	0	0	0	0
Harris	352	31	319	0
Harrison	8	8	7	0
Haskell	3	0	2	0
Hays	6	0	6	0
Hemphill	1	0	0	0
Henderson	5	0	6	0
Hidalgo	10	2	7	0
Hill	0	0	0	0
Hockley	0	0	0	0
Hood	5	2	4	0
Hopkins	6	1	5	0
Houston	4	0	4	0
Hunt	2	0	3	0
Hutchinson	0	0	0	0
Jack	0	0	0	0
Jackson	6	0	6	0
Jasper	1	0	2	0
Jefferson	23	0	13	0
Johnson	5	1	2	0
Jones	1	0	1	0
Karnes	0	0	0	0
Kaufman	13	1	9	0
Kendall	0	0	0	0
Kerr	0	0	1	0
Kleberg	1	1	1	0
Lamar	16	3	11	0
Lamb	1	0	1	0
Lampasas	4	4	0	0
Lavaca	1	0	0	0
Leon	3	0	3	0
Liberty	3	0	2	0
Limestone	2	0	0	0
Lipscomb	0	0	0	0
Llano	0	0	0	0
Lubbock	35	0	38	0
Marion	1	0	1	0
Matagorda	3	0	5	0
Maverick	0	0	0	0
McCulloch	0	0	0	0
McLennan	19	1	23	0
Medina	2	0	2	0
Midland	11	0	7	0
Milam	3	0	1	0
Mitchell	0	0	0	0
Montague	5	1	4	0
Montgomery	18	2	11	0
Moore	1	0	0	0
Morris	1	0	1	0
Nacogdoches	1	0	2	0
Navarro	0	0	0	0
Nolan	2	0	1	0
Nueces	14	0	11	0
Ochiltree	0	0	0	0
Orange	6	0	5	0

<i>County</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>
Palo Pinto	1	0	2	0
Parker	5	0	5	0
Parmer	1	0	1	0
Pecos	1	0	0	0
Polk	1	0	1	0
Potter	10	0	14	0
Rains	1	0	4	0
Randall	4	0	3	0
Red River	1	0	1	0
Rockwall	2	1	2	0
Rusk	3	0	4	0
Sabine	1	0	1	0
San Augustine	1	0	0	0
San Jacinto	1	0	0	0
San Patricio	7	1	4	0
San Saba	1	0	1	0
Scurry	1	0	0	0
Shelby	0	0	0	0
Smith	17	1	13	0
Somervell	1	0	1	0
Starr	1	0	1	0
Stephens	0	0	1	0
Swisher	1	0	1	0
Tarrant	162	7	153	0
Taylor	17	1	17	0
Terry	1	0	1	0
Throckmorton	0	0	0	0
Titus	1	0	1	0
Tom Green	4	0	3	0
Travis	51	9	50	0
Tyler	1	0	1	0
Upshur	5	1	4	0
Val Verde	0	0	1	0
Van Zandt	0	0	0	0
Victoria	6	3	3	0
Walker	5	1	4	0
Waller	1	0	1	0
Ward	0	0	0	0
Washington	1	0	2	0
Webb	3	1	1	0
Wharton	2	0	2	0
Wheeler	1	0	1	0
Wichita	8	4	4	0
Wilbarger	3	0	3	0
Williamson	5	2	6	0
Wilson	0	0	0	0
Wise	3	0	3	0
Wood	11	0	2	0
Yoakum	0	0	0	0
Young	2	1	1	0
TOTAL	1,525	146	1,311	0

PETITIONS FOR REVIEW FILED BY COURT OF APPEALS: FY 2007

<i>Court of Appeals</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>	<i>Court of Appeals</i>	<i>Filed</i>	<i>Granted</i>	<i>Refused</i>	<i>Dismissed</i>
1 st - Houston	192	22	166	0	8 th - El Paso	42	7	29	0
2 nd - Fort Worth	209	21	189	0	9 th - Beaumont	52	5	34	0
3 rd - Austin	112	16	96	0	10 th - Waco	69	4	72	0
4 th - San Antonio	61	11	48	0	11 th - Eastland	61	2	59	0
5 th - Dallas	218	18	167	0	12 th - Tyler	44	1	39	0
6 th - Texarkana	92	17	77	0	13 th - Corpus Christi	187	12	72	0
7 th - Amarillo	83	4	78	0	14 th - Houston	187	9	171	0
					TOTAL	1,609	149	1,297	0