

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 04- 9126

TRANSFER OF CASES FROM COURTS OF APPEALS

ORDERED:

I.

The first 37 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the First Court of Appeals District, Houston, Texas, on or after June 4, 2004, are transferred to the Court of Appeals for the Eighth Court of Appeals District, El Paso, Texas.

II.

The first 12 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Fifth Court of Appeals District, Dallas, Texas, on or after June 7, 2004, are transferred to the Court of Appeals for the Eighth Court of Appeals District, El Paso, Texas.

III.

The first 64 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Ninth Court of Appeals District, Beaumont, Texas, on or after June 9, 2004, are transferred to the Court of Appeals for the Tenth Court of Appeals District, Waco, Texas.

IV.

The first 16 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Twelfth Court of Appeals District, Tyler, Texas, on or after June 3, 2004, are transferred to the Court of Appeals for the Sixth Court of Appeals District, Texarkana, Texas.

The next 25 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Twelfth Court of Appeals District, Tyler, Texas, on or after June 3, 2004, are transferred to the Court of Appeals for the Seventh Court of Appeals District, Amarillo, Texas.

V.

The first 15 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Fourteenth Court of Appeals District, Houston, Texas, on or after June 3, 2004, are transferred to the Court of Appeals for the Tenth Court of Appeals District, Waco, Texas.

The next 14 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Fourteenth Court of Appeals District, Houston, Texas, on or after June 3, 2004, are transferred to the Court of Appeals for the Eighth Court of Appeals District, El Paso, Texas.

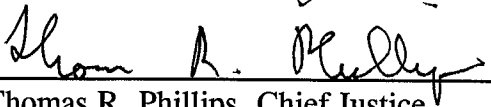
For purposes of determining the effective date of transfers pursuant to this order, "filed" in a court of appeals means the receipt of notice of appeal by the court of appeals.

In effectuating this Order, companion cases shall either all be transferred, or shall all be retained by the Court in which filed, as determined by the Chief Justice of the transferring Court, provided that cases which are companions to any case filed before the respective operative dates of transfer specified above, shall be retained by the Court in which originally filed.


It is specifically provided that the cases ordered transferred by this Order shall, in each instance, not include original proceedings, appeals from interlocutory orders, appeals from denial of writs of habeas corpus, extradition, bond cases, and those cases which in the opinion of the Chief Justice of the transferring Court contain extraordinary circumstances or in which emergency action may be required.


The transferring Court of Appeals will make the necessary orders for the transfer of said cases as directed hereby, and will cause the Clerk of that Court to transfer the original transcript and all filed papers in each case, and certify all Orders made, to the Court of Appeals to which the cases are transferred. Upon completion of the transfer of the requisite number of cases ordered transferred, the transferring Court shall submit a list of the cases transferred, identified by style and number, to the Supreme Court and the State Office of Court Administration.

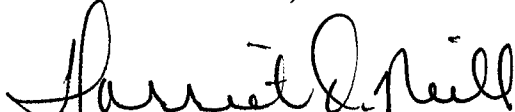
SIGNED this 22nd day of June, 2004.

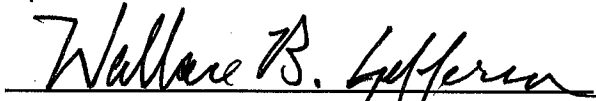


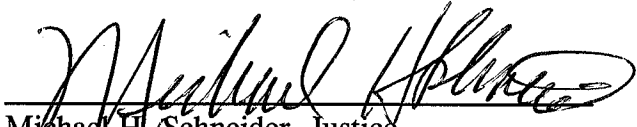
Thomas R. Phillips, Chief Justice

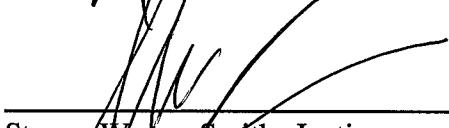

Nathan L. Hecht, Justice



Priscilla R. Owen, Justice



Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Michael H. Schneider, Justice


Steven Wayne Smith, Justice


Dale Wainwright, Justice


Scott A. Brister, Justice