

9 @ VENTH COURT OF APPEALS' APPELLATE TIMETABLE FOR ATTORNEYS



FILINGS:

| | BASIC APPEAL FINAL JUDGMENT CIVIL / CRIMINAL | BASIC APPEAL FINAL JUDGMENT CIVIL / CRIMINAL | ACCELERATED APPEAL CIVIL / CRIMINAL | CRIMINAL APPEAL FILED BY STATE | CRIMINAL APPEAL HABEAS CORPUS | RESTRICTED APPEAL CIVIL ONLY |
|--|---|---|--|---|--|---|
| | When a Motion for New Trial; Motion to Modify; Motion to Reinstate; or Request for Findings of Fact and Conclusions of Law Has Not Been Filed | When a Motion for New Trial; Motion to Modify; Motion to Reinstate; or Request for Findings of Fact and Conclusions of Law Has Been Filed | (NEW) <u>PERMISSIVE APPEAL</u> <u>CIVIL ONLY</u> <u>NO NOA REQUIRED</u> | | | |
| Judgment / Order Sentence Imposed | Date Judgment Signed <u>or</u> Date Sentence Imposed + | Date Judgment Signed <u>or</u> Date Sentence Imposed + | Date Judgment Signed <u>or</u> Date Order Signed by TC + | Date Order Signed + | Date Order Signed + | Date Judgment Signed + |
| Post Judgment Motions | N/A | 30 | N/A | N/A | N/A | N/A |
| Request for Findings of Fact and Conclusions of Law | N/A | 20 | N/A | N/A | N/A | N/A |
| Notice of Appeal | 30 | 90 | 20 | 15 | 30 | 6 Months |
| Affidavit of Indigence | 30 | 90 | 20 | 15 | 30 | 6 Months |
| Designation of Clerk Record | 30 | 90 | 20 | 15 | 30 | 6 Months |
| Designation of Reporter Record | 30 | 90 | 20 | 15 | 30 | 6 Months |
| Application for Interlocutory Appeal | | | 15 | | | |
| Docketing Statement | 30 | 90 | 20/ 15 | 15 | 30 | 6 Months |
| Trial Court Clerk & Reporter Record | 60 | 120 | Date NOA filed + 10 days Date Order Signed by COA Accepting Appeal + 10 | 60 | NOA +15 | NOA + 30 |
| Appellant Brief | Complete Record + 30 | Complete Record + 30 | Complete Record + 20 | Complete Record + 30 | Complete Record + 30 | Complete Record + 30 |
| Appellee / State Brief | Appellant + 30 | Appellant + 30 | Appellant + 20 | Appellant + 30 | Appellant + 30 | Appellant + 30 |
| Appellant Reply to Appellee / State | Appellee / State + 20 | Appellee / State + 20 | Appellee / State + 20 | Appellee / State + 20 | Appellee / State + 20 | Appellee / State + 20 |
| Motion for Rehearing | Disposition + 15 | Disposition + 15 | Disposition + 15 | Disposition + 15 | Disposition + 15 | Disposition + 15 |
| Petition for Discretionary Review (Criminal) | Court of Appeals Last Ruling + 30 | Court of Appeals Last Ruling + 30 | Court of Appeals Last Ruling + 30 | Court of Appeals Last Ruling + 30 | Court of Appeals Last Ruling + 30 | N/A |
| Petition for Review (Civil) | Court of Appeals Last Ruling + 45 | Court of Appeals Last Ruling + 45 | Court of Appeals Last Ruling + 45 | N/A | N/A | Court of Appeals Last Ruling + 45 |

Guidelines for Filing an Appeal:

1. File original notice of appeal with the Trial Court and a copy with the Court of Appeals (COA). Affidavits of Indigence are filed with the Trial Court, although, extensions must be filed with the COA.
2. File a Docketing Statement and the appropriate filing fee with the Court of Appeals.
3. File a written designation with the Trial Court Clerk and the Court Reporter and a copy of the Court Reporter's designation with the Trial Court.
4. You Must Pay or make arrangements to pay the Trial Court Clerk and the Court Reporter for records unless parties are indigent. Failure to pay could be grounds for dismissal in civil cases.

Gray - File in Trial Court

Blue - File with Court Reporter and a copy with the Trial Court

Green - File in Court of Appeals

Orange - File in Court of Criminal Appeals

Yellow - File in Supreme Court

<http://www.11thcoa.courts.state.tx.us/>

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