

COURTS OF APPEALS

Analysis of Activity for the Year Ending August 31, 1989

There are 14 Courts of Appeals in Texas which, since September 1, 1981, have heard intermediate appeals in both 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 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 third consecutive year, total pending caseloads of the 14 Courts of Appeals increased during state fiscal year 1989, which ended August 31, 1989.

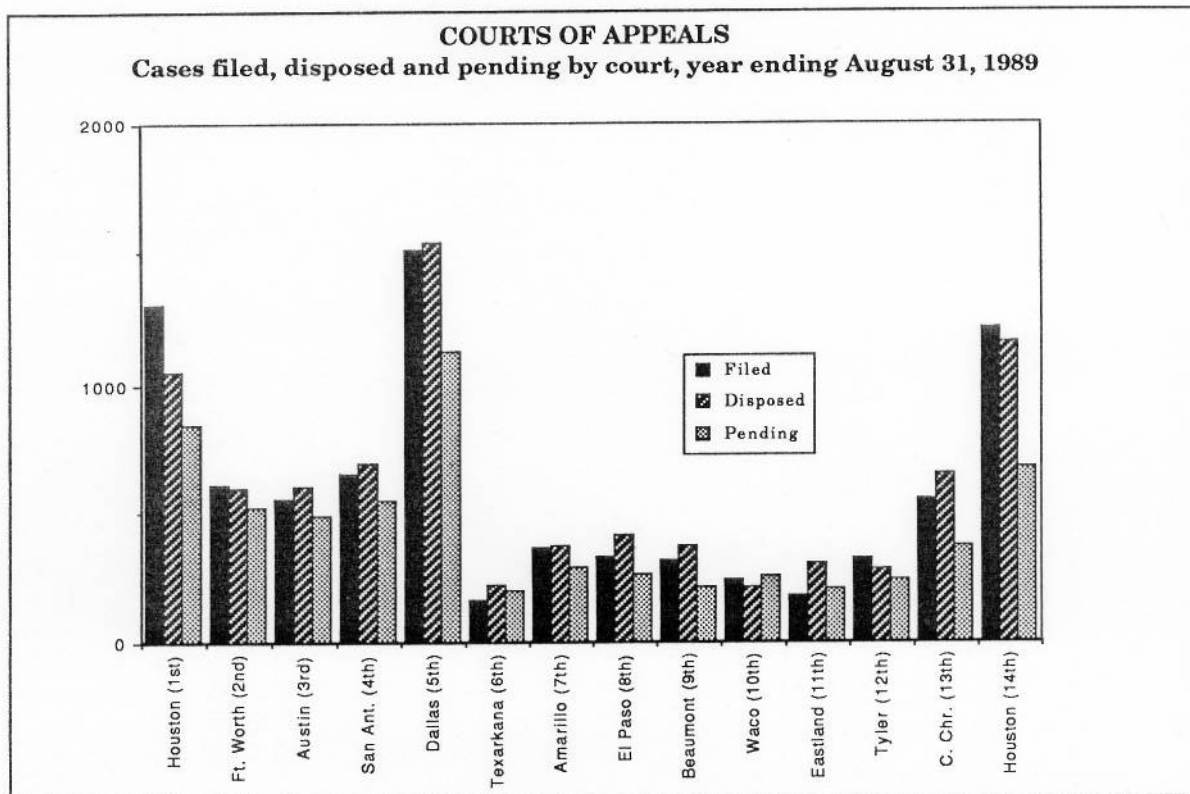
The Courts disposed of 8,416 total cases during the year, an average of 105 dispositions (58 criminal and 47 civil) per justice. The pending caseload increased from 5,766 at the beginning of the fiscal year to 6,163 at the end of the year.

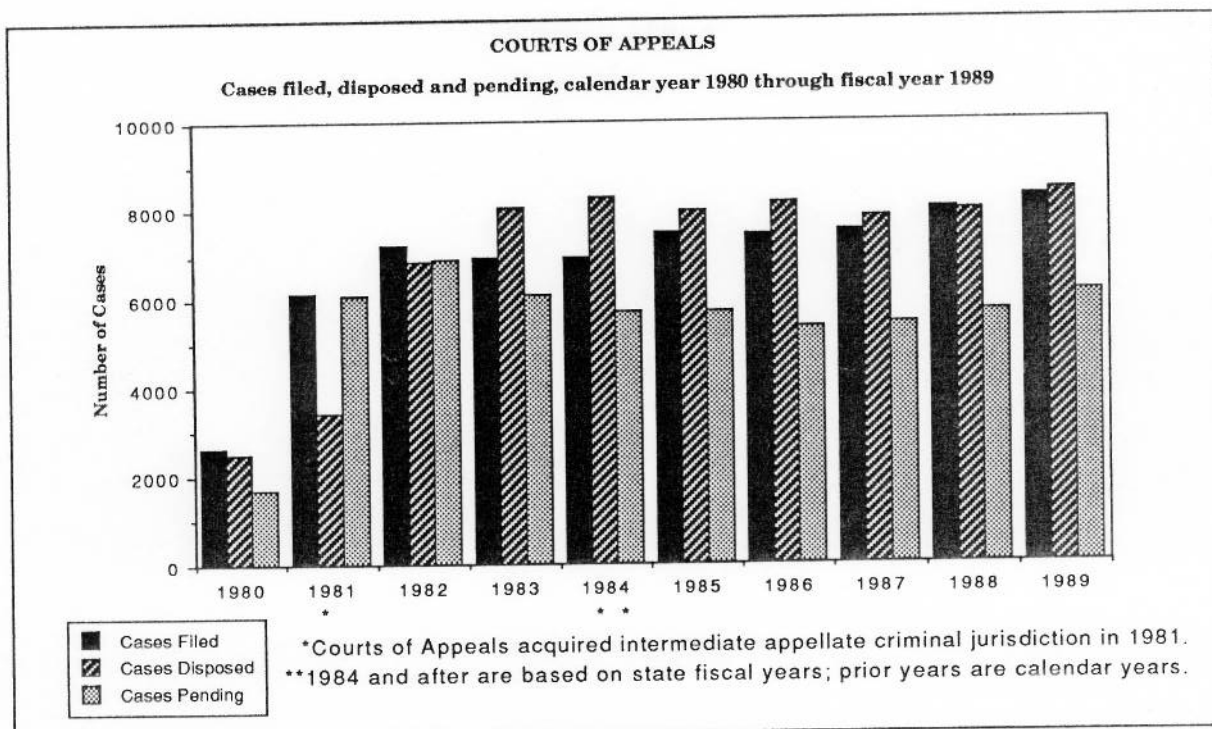
From calendar year 1974 through 1982, the total pending caseload of the Courts of Appeals grew larger each year as more cases than the courts were able to dispose of were added. On December 31, 1982, there were 6,816 total cases pending in the Courts of Appeals.

The trend was broken in calendar year 1983 when a surge in criminal dispositions reduced the total pending caseload by year's end. In fiscal year 1984, both civil and criminal caseloads were reduced during the year.

In fiscal year 1985, the civil caseload was reduced and the criminal caseload increased slightly. In fiscal year 1986, both pending civil and criminal caseloads were again reduced.

The Courts of Appeals had 3,526 criminal cases and 2,240 civil cases pending as of September 1, 1988. On August 31, 1989, 3,704 criminal cases and 2,459 civil cases were pending. The state average for pending cases at year's end was 77 per justice. This compares to the 1982 high of 86 pending cases per justice.





The largest number of pending cases per justice (94) at the end of the fiscal year was in the First Court of Appeals in Houston. The lowest number per justice (61) was in the Thirteenth Court of Appeals in Corpus Christi.

Case Filings Increase

A total of 8,281 cases was filed in the Courts of Appeals during the fiscal year, which included 4,403 criminal cases and 3,878 civil cases. This was an increase of 3.5 percent from the 8,004 total new cases filed in fiscal year 1988. New criminal cases increased 4.2 percent from the 4,224 filed in fiscal year 1988 and civil cases increased 2.6 percent from the 3,780 filed in fiscal year 1988.

Considering civil and criminal cases together, the First Court of Appeals in Houston had the highest average number of new cases filed per justice (145) during fiscal year 1989. The other courts ranged down to 52 cases per justice filed in the Sixth Court of Appeals in Texarkana. State average filings were 104 per justice.

Approximately 30 percent of all new cases filed in a Court of Appeals in Texas in fiscal year 1989 were filed in one of the two Courts located in Houston. Approximately 18 percent of all cases filed in the State were filed in the Fifth Court of Appeals in Dallas.

Criminal Dispositions Increase

Criminal dispositions increased 11.4 percent from 4,152 dispositions in fiscal year 1988 to 4,627 dispositions in fiscal year 1989.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 6.4 months in the Eleventh Court of Appeals in Eastland to 11.8 months in the Fourth Court of Appeals in San Antonio. The average lapse of time for the 14 courts was 9 months.

The average lapse of time between submission of a criminal appeal and its disposition ranged from 0.3 of a month in the Ninth Court of Appeals in Beaumont to 3.8 months in the Fourth Court of Appeals in San Antonio. The average lapse of time for the courts was 1.6 months.

Of the 3,704 criminal cases pending in the Courts of Appeals at the end of fiscal year 1989, 55 percent had been on the docket less than 6 months, 31 percent from 6 to 12 months, and 14 percent more than 12 months.

Civil Dispositions

In fiscal year 1989, there were 3,789 civil dispositions by the Courts of Appeal, a decrease of 1.1 percent over the 3,832 civil dispositions in fiscal year 1988.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 5.3 months in the Eighth Court of Appeals in El Paso to 9 months in the Third Court of Appeals in Austin. The average lapse of time in the 14 courts for civil cases was 6.8 months.

The average lapse of time from the submission of a civil case to the court and its disposition ranged from 0.7 months in the Eighth Court of Appeals in El Paso to 3.4 months in the Third Court of Appeals in Austin. The average lapse of time for the 14 courts was 1.7 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.

The Fourteenth Court of Appeals in Houston disposed of the largest total number of cases per justice (129) during fiscal year 1989. The lowest number per justice (70) was in the Tenth Court of Appeals in Waco. State average dispositions were 105 per justice.

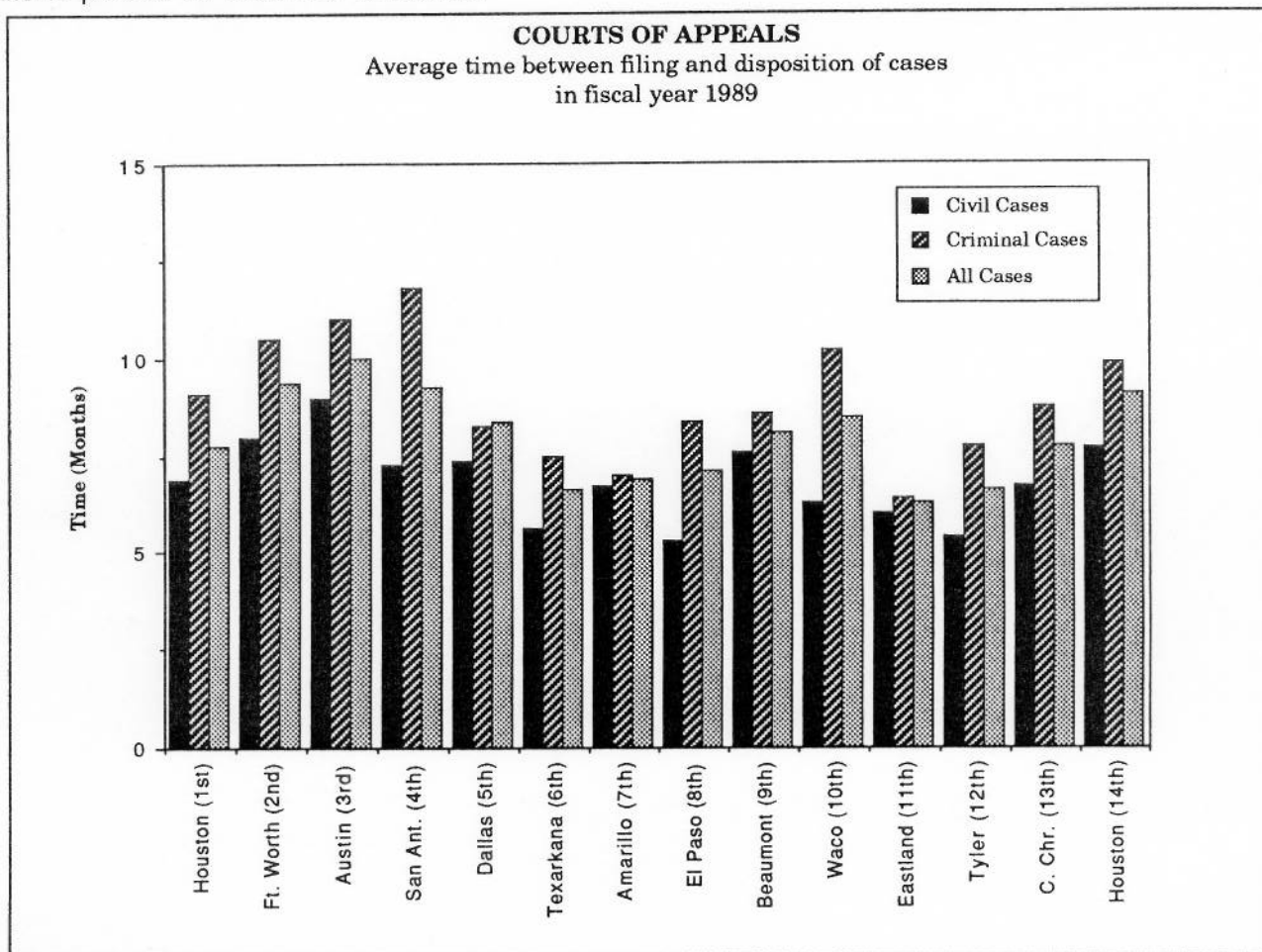
At the end of fiscal year 1989, 2,459 civil cases were pending on the dockets of the Courts of Appeals, 9.8 percent more than the 2,240 pending on September 1, 1988. Of those civil cases pending on August 31, 1989, 58 percent had been on the docket less than 6 months, 27 percent from 6 to 12 months, and 15 percent for more than 12 months.

Opinions Written

In fiscal year 1989, the justices of the Courts of Appeals wrote 7,993 opinions, 5 percent more than the 7,593 written in 1988.

The Courts of Appeals reversed, at least in part, the decision of the trial court in 13.9 percent of the cases disposed of during the fiscal year 1989, a 0.7 percent decrease from fiscal year 1988.

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 188 civil cases and 276 criminal cases among the courts in fiscal year 1989, compared with 18 civil cases and 176 criminal cases transferred in fiscal year 1988.



COURTS OF APPEALS

Total of Reported Activity for the Year Ending August 31, 1989

CRIMINAL & CIVIL CASES

	<u>TOTALS</u>	<u>AVERAGES PER JUDGE¹</u>
Cases Pending September 1, 1988	5,766	72
Cases Added During Year Ending August 31, 1989:		
New Cases Filed	8,281	104
Other Cases Added	<u>532</u>	<u>7</u>
TOTAL CASES ADDED DURING YEAR	8,813	110
Cases Disposed of During Year:		
Cases affirmed	4,412	
Cases modified and/or reformed and affirmed	182	
Cases affirmed in part and in part reversed and remanded	78	
Cases affirmed in part and in part reversed and rendered	45	
Cases reversed and remanded	817	
Cases reversed and rendered	179	
Cases otherwise disposed	1,185	
Cases dismissed	1,471	
Cases consolidated into other cases	<u>47</u>	
TOTAL DISPOSITIONS DURING YEAR	8,416	105
Cases Pending August 31, 1989:		
Civil cases pending	2,459	31
Criminal cases pending	<u>3,704</u>	<u>46</u>
TOTAL CASES PENDING	6,163	77
Opinions Written During Year:	7,994	100

¹Averages based on 80 justices

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Activity for the Year Ending August 31, 1989

	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, 1988	231	455	686	182	291	473	212	285	497	248	296	544
New cases filed during year ending August 31, 1989	573	729	1302	283	323	606	292	267	559	392	261	653
Cases transferred in	2	2	4	0	0	0	0	0	0	0	0	0
Cases transferred out	70	90	160	0	0	0	0	0	0	0	0	0
Rehearings granted	10	3	13	2	9	11	0	3	3	4	2	6
Cases reinstated	3	3	6	3	21	24	3	1	4	6	12	18
Cases remanded from higher courts	2	37	39	0	0	0	3	21	24	1	12	13
TOTAL CASES ON DOCKET	751	1139	1890	470	644	1114	540	577	1087	651	583	1234
Cases affirmed	106	452	558	97	207	304	91	236	327	98	218	316
Cases modified and/or reformed and affirmed	5	3	8	10	7	17	9	8	17	17	11	28
Cases affirmed in part and in part reversed and remanded	2	1	3	5	0	5	1	7	8	10	1	11
Cases affirmed in part and in part reversed and rendered	4	8	12	4	0	4	3	0	3	6	0	6
Cases reversed and remanded	56	50	106	25	41	66	42	16	58	43	28	71
Cases reversed and rendered	14	0	14	13	0	13	17	0	17	8	1	9
Cases otherwise disposed	148	6	154	44	10	54	26	10	36	134	42	176
Cases dismissed	113	58	171	64	66	130	83	36	119	65	8	73
Cases consolidated into other cases	2	8	17	0	0	0	15	0	15	0	0	0
TOTAL CASES DISPOSED	457	586	1043	262	331	593	287	313	600	381	309	690
Cases pending August 31, 1989:												
Pending up to 6 months	190	333	523	118	147	265	100	123	226	132	136	268
Pending from 6 to 12 months	55	161	216	52	103	155	75	85	160	76	71	147
Pending from 12 to 24 months	38	53	91	33	59	92	39	50	89	42	58	100
Pending over 24 months	11	6	17	5	4	9	2	3	12	20	2	22
TOTAL CASES PENDING AUGUST 31, 1989	294	553	847	208	313	521	223	264	487	270	274	544
Avg. time between filing & disposition (months)	6.1	9.1	7.8	8.0	10.5	9.4	9.0	11.0	10.0	7.3	11.8	9.3
Avg. time between submission & disposition (months)	1.0	1.0	1.0	3.1	2.4	2.7	3.4	3.5	3.5	2.4	3.8	3.0

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Activity for the Year Ending August 31, 1989

(Continued)

	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, 1988	406	666	1072	29	56	85	92	95	187	89	154	243
New cases filed during year ending August 31, 1989	631	881	1512	82	74	156	162	201	363	147	177	324
Cases transferred in	0	0	0	63	84	147	30	23	53	37	45	82
Cases transferred out	-39	-63	-102	0	-1	-1	0	0	0	0	0	0
Rehearings granted	18	11	29	3	0	3	2	1	3	4	0	4
Cases reinstated	23	29	52	0	2	2	3	12	15	2	1	3
Cases remanded from higher courts	4	25	29	2	16	18	0	5	5	0	11	11
TOTAL CASES ON DOCKET ..	1043	1619	2662	179	231	410	289	337	626	279	388	667
Cases affirmed	216	611	827	44	82	126	56	122	178	58	146	204
Cases modified and/or reformed and affirmed	7	2	9	7	2	9	6	3	9	6	2	8
Cases affirmed in part and in part reversed and remanded	1	0	1	1	1	2	5	4	9	5	0	5
Cases affirmed in part and in part reversed and rendered	2	0	2	0	0	0	0	0	0	1	0	1
Cases reversed and remanded	96	44	140	18	12	30	27	12	39	30	21	51
Cases reversed and rendered	32	5	37	4	1	5	9	4	13	11	10	21
Cases otherwise disposed	211	115	326	13	0	13	33	18	51	20	17	37
Cases dismissed	182	15	197	16	16	32	32	29	61	40	44	84
Cases consolidated into other cases	0	0	0	0	0	0	0	1	4	0	0	0
TOTAL CASES DISPOSED	747	792	1539	103	114	217	171	193	364	171	240	411
Cases pending August 31, 1989:												
Pending up to 6 months	210	443	653	65	95	160	52	107	159	86	88	174
Pending from 6 to 12 months	74	289	363	5	18	23	50	35	85	15	45	60
Pending from 12 to 24 months	11	95	106	6	4	10	15	2	17	6	15	21
Pending over 24 months	1	0	1	0	0	0	1	0	1	1	0	1
TOTAL CASES PENDING AUGUST 31, 1989 ..	296	827	1123	76	117	193	118	144	262	108	148	256
Avg. time between filing & disposition (months)	7.4	9.3	8.4	5.6	7.5	6.6	6.7	7.0	6.9	5.3	8.4	7.1
Avg. time between submission & disposition (months)	1.2	0.9	1.0	1.2	1.6	1.4	1.1	0.5	0.8	0.7	0.6	0.6

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Activity for the Year Ending August 31, 1989

(Continued)

	Beaumont-9th 3 Justices			Waco-10th 3 Justices			Eastland-11th 3 Justices			Tyler-12th 3 Justices		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1988	118	124	242	54	109	163	44	148	192	72	118	190
New cases filed during year ending August 31, 1989	184	128	312	108	127	235	76	97	173	168	148	316
Cases transferred in	0	0	0	8	37	45	43	67	110	0	0	0
Cases transferred out	0	0	0	0	-1	-1	0	0	0	0	0	0
Rehearings granted	4	1	5	0	0	0	2	1	3	1	1	2
Cases reinstated	1	3	4	1	4	5	1	6	7	1	1	2
Cases remanded from higher courts	0	7	7	0	10	10	0	12	12	1	1	2
TOTAL CASES ON DOCKET	307	263	570	171	286	457	166	331	497	243	269	512
Cases affirmed	49	101	150	24	78	102	29	151	180	33	77	110
Cases modified and/or reformed and affirmed	4	1	5	4	1	5	5	7	12	5	4	9
Cases affirmed in part and in part reversed and remanded	5	1	6	4	0	4	0	4	4	2	0	2
Cases affirmed in part and in part reversed and rendered	1	0	1	0	0	0	0	0	0	5	0	5
Cases reversed and remanded	24	18	42	13	6	19	9	16	25	10	16	26
Cases reversed and rendered	7	0	7	1	2	3	1	0	1	3	6	9
Cases otherwise disposed	58	11	69	19	2	21	10	13	23	35	5	40
Cases dismissed	37	45	82	29	26	55	27	26	53	43	33	76
Cases consolidated into other cases	2	0	2	0	0	0	0	0	0	0	0	0
TOTAL CASES DISPOSED	187	177	364	94	115	209	81	217	298	136	141	277
Cases pending August 31, 1989:												
Pending up to 6 months	54	49	103	49	97	146	57	59	116	57	47	104
Pending from 6 to 12 months	42	22	64	23	45	68	22	50	72	32	45	77
Pending from 12 to 24 months	16	15	31	5	24	29	4	5	9	18	33	51
Pending over 24 months	8	0	8	0	5	5	2	0	2	0	3	3
TOTAL CASES PENDING AUGUST 31, 1989 .	120	86	206	77	171	248	85	114	199	107	128	235
Avg. time between filing & disposition (months)	7.6	8.6	8.1	6.3	10.2	8.5	6.0	6.4	6.3	5.4	7.8	6.6
Avg. time between submission & disposition (months)	0.9	0.3	0.6	1.8	1.8	1.8	1.3	0.8	0.9	1.8	1.3	1.6

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Activity for the Year Ending August 31, 1989

(Continued)

	Corpus Christi-13th 6 Justices			Houston-14th 9 Justices			Grand Totals		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1988	169	247	416	294	482	776	2240	3526	5766
New cases filed during year ending August 31, 1989	292	264	556	488	726	1214	3878	4403	8281
Cases transferred in	4	16	20	1	2	3	188	276	464
Cases transferred out	0	-1	-1	-79	-120	-199	-188	-276	-464
Rehearings granted	3	3	6	8	9	17	61	44	105
Cases reinstated	4	2	6	1	1	2	52	98	150
Cases remanded from higher courts	2	12	14	2	21	23	17	260	277
TOTAL CASES ON DOCKET	474	543	1017	715	1121	1836	6248	8331	14579
Cases affirmed	106	203	309	102	619	721	1109	3303	4412
Cases modified and/or reformed and affirmed	8	8	16	16	14	30	109	73	182
Cases affirmed in part and in part reversed and remanded	6	0	6	8	4	12	55	23	78
Cases affirmed in part and in part reversed and rendered	8	0	8	3	0	3	37	8	45
Cases reversed and remanded	29	49	78	37	29	66	459	358	817
Cases reversed and rendered	12	0	12	12	6	18	144	35	179
Cases otherwise disposed	70	2	72	98	15	113	919	266	1185
Cases dismissed	78	73	151	114	73	187	923	548	1471
Cases consolidated into other cases	0	0	0	5	4	9	34	13	47
TOTAL CASES DISPOSED	317	335	652	395	764	1159	3789	4627	8416
Cases pending August 31, 1989:							1416	2040	3456
Pending up to 6 months	93	97	190	153	216	369	674	1158	1832
Pending from 6 to 12 months	53	76	129	100	113	213	310	473	783
Pending from 12 to 24 months	11	35	46	66	25	91	59	33	92
Pending over 24 months	0	0	0	1	3	4			
TOTAL CASES PENDING AUGUST 31, 1989	157	208	365	320	357	677	2459	3704	6163
Avg. time between filing & disposition (months)	6.7	8.8	7.8	7.7	9.9	9.1	6.8	9.0	8.0
Avg. time between submission & disposition (months)	2.6	2.3	2.5	1.5	1.2	1.3	1.7	1.6	1.6

COURTS OF APPEALS

Activity for the Year Ending August 31, 1989

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
FIRST, HOUSTON										
Frank G. Evans	109	1	1	1	0	1	0	33	146	
James F. Warren	72	0	1	0	0	1	0	30	104	
Sam Bass	73	0	4	0	1	2	0	41	121	
Lee Duggan, Jr.	73	1	0	0	0	0	1	39	114	
Murry B. Cohen	83	4	4	1	0	3	0	32	127	
D. Camille Dunn	107	2	6	1	0	1	0	39	156	
¹ Margaret Garner Mirabal	45	1	2	0	0	0	0	33	81	
² John N. Hughes	42	0	2	0	0	2	0	30	76	
³ Michol O'Connor	33	1	7	1	0	2	0	18	62	
⁴ Jackson B. Smith	31	2	0	0	0	1	0	16	50	
⁵ Ben G. Levy	26	0	1	3	0	1	1	11	43	
⁶ Richard E. Stephanow	13	0	1	0	0	1	0	6	21	
⁷ Assigned Judges	3	0	0	0	0	0	0	0	3	1104
SECOND, FORT WORTH										
¹ H. Tod Weaver	32	0	0	0	0	11	0	4	47	
Joe Spurlock, II	46	0	0	0	0	20	2	3	71	
John G. Hill	70	0	4	1	0	13	0	4	92	
David F. Farris	85	0	1	1	0	16	2	3	108	
David E. Keltner	55	1	2	0	0	19	3	1	81	
Hal Lattimore	76	1	1	1	0	22	3	3	107	
² Lawrence E. Meyers	21	0	1	0	0	20	1	0	43	
³ Howard M. Fender	27	0	0	0	0	4	0	1	32	
⁴ William E. Burdock	29	0	0	0	0	2	0	0	31	
⁵ Assigned Judges	7	0	0	0	0	0	0	1	8	620
THIRD, AUSTIN										
Bob Shannon	39	0	0	5	0	0	1	49	94	
John Powers	42	0	0	1	0	0	0	50	93	
Robert A. Gammage	27	0	2	1	0	0	0	49	79	
James L. Carroll	33	0	0	4	0	0	0	49	86	
Marilyn Aboussie	36	0	0	0	0	0	0	49	85	
¹ Woodie Jones	32	1	0	2	1	0	0	40	76	
² Assigned Judges	11	0	0	0	0	0	1	0	12	525
FOURTH, SAN ANTONIO										
Carlos C. Cadena	10	11	5	0	0	0	0	24	50	
Shirley W. Butts	57	1	4	0	0	2	1	9	74	
Blair Reeves	64	0	2	0	0	1	0	29	96	
Alfonso Chapa	50	7	2	0	0	1	1	34	95	
¹ David Peoples	36	0	3	0	0	0	1	15	55	
² Fred Blery	40	1	2	0	0	0	3	4	50	
³ Ron Carr	55	2	1	0	0	0	0	3	61	
⁴ Rudy Esquivel	23	0	1	0	0	1	0	4	29	
⁵ Antonio G. Cantu	34	0	1	0	0	1	0	4	40	
⁶ Preston H. Dial, Jr.	12	0	0	0	0	0	0	3	15	
⁷ Assigned Judges	41	0	0	0	0	0	2	0	43	608
FIFTH, DALLAS										
Craig Enoch	34	2	1	0	0	0	4	27	68	
Warren Whitham	60	2	3	0	0	0	2	22	89	
Charles Ben Howell	67	2	17	2	0	0	7	1	96	
Pat McClung	76	0	1	0	1	1	1	8	88	
Annette Stewart	63	0	0	0	1	0	2	13	79	
Gordon Rowe	65	3	3	4	0	0	2	13	90	
James Baker	93	0	4	0	0	9	4	20	130	
Sue Lagarde	72	15	9	1	0	0	6	15	118	
Linda Thomas	60	2	2	0	0	0	1	4	69	
Ed Kinkeade	73	3	6	4	0	1	8	13	108	
¹ Joe Burnett	50	0	1	1	0	0	3	15	70	
² John Ovard	37	0	2	0	0	0	5	12	56	
³ John Whittington	56	0	2	0	0	0	0	12	70	
⁴ Bill J. Stephens	14	0	3	0	0	0	1	3	21	
⁵ Joseph A. Devany	17	2	1	0	0	0	0	3	23	
⁶ Nathan Hecht	11	0	1	0	0	0	0	9	21	
⁷ Assigned Judges	25	0	0	0	0	0	0	2	27	1223
SIXTH, TEXARKANA										
William J. Cornelius	59	1	1	3	0	4	1	13	82	
Charles Bleil	63	2	3	3	0	4	6	9	90	
Ben Z. Grant	54	3	5	8	1	7	2	14	94	
¹ Assigned Judges	1	0	0	0	0	0	0	0	1	267

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COURTS OF APPEALS

Activity for the Year Ending August 31, 1989

(Continued)

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
SEVENTH, AMARILLO										
Charles L. Reynolds	73	0	0	2	0	15	4	3	97	
Carlton B. Dodson	64	0	1	2	1	19	2	1	90	
John T. Boyd	82	1	0	5	1	16	7	0	112	
*H. Bryan Poff, Jr.	47	0	1	2	0	6	3	1	60	
**Patrick A. Pirtle	14	0	0	0	0	5	1	0	20	379
EIGHTH, EL PASO										
Max N. Osborn	75	0	3	0	0	0	9	16	103	
Lawrence L. Fuller	89	2	0	0	0	1	4	3	99	
Jerry Woodard	71	0	1	0	0	1	3	1	77	
*Ward L. Koehler	43	0	0	0	0	0	1	2	46	
*Charles R. Schulte	27	0	0	0	0	1	0	0	28	353
NINTH, BEAUMONT										
**Martin Dies, Jr.	52	6	0	1	1	3	2	6	71	
Jack Brookshire	76	17	21	1	0	10	3	4	132	
Don Burgess	86	17	13	0	0	11	1	6	134	337
TENTH, WACO										
*Bob Thomas	17	0	2	0	0	4	3	18	44	
Vic Hall	33	0	0	2	0	7	1	16	59	
*Terry Means	9	0	0	0	0	1	0	16	26	
*Frank G. McDonald	28	0	0	1	0	3	1	0	33	
*Assigned Judges	51	0	0	1	0	0	1	2	55	217
ELEVENTH, EASTLAND										
Austin McCloud	43	0	0	0	0	1	0	36	80	
Bob Dickenson	55	0	0	4	2	0	0	29	90	
William G. Arnot	52	0	0	4	1	0	0	36	93	263
TWELFTH, TYLER										
*Tom Ramey	0	0	0	0	0	0	0	1	1	
Paul S. Colley	35	1	0	1	0	0	0	63	100	
J. W. (Bill) Bass, Jr.	30	0	0	0	0	0	1	63	94	
**J. W. Summers	13	0	0	1	0	1	1	60	76	271
THIRTEENTH, CORPUS CHRISTI										
Paul W. Nye	76	1	3	5	0	4	0	25	114	
Norman L. Utter	81	0	1	2	0	2	2	24	112	
Noah Kennedy	70	0	1	0	0	0	2	23	96	
Robert J. Seerden	68	0	7	2	0	1	2	24	104	
Fortunato Benavides	72	0	0	4	0	1	1	24	102	
J. Bonner Dorsey	76	3	6	1	0	1	3	23	113	
*Assigned Judges	1	0	0	0	0	0	0	0	1	642
FOURTEENTH, HOUSTON										
J. Curtiss Brown	101	3	4	0	0	2	0	28	138	
Paul Pressler	92	0	0	0	0	2	0	25	119	
William E. Junell	102	0	1	0	0	1	0	33	137	
Paul C. Murphy	95	0	4	0	0	2	0	30	131	
Sam Robertson	87	0	3	0	0	5	0	33	128	
Ross A. Sears	79	3	1	0	0	5	0	23	111	
Bill Cannon	95	0	0	0	0	1	0	30	126	
Joe L. Draughn	96	0	1	0	0	3	0	30	130	
George T. Ellis	118	3	8	0	0	3	0	32	164	1184
TOTALS	5324	131	208	90	11	312	136	1781	7993	7993

*Ordinarily, these are comparable to an original opinion on the merits.

*Elected effective 12/9/88.

*Elected effective 1/1/89.

*Retired 12/31/88.

*Left office 12/31/88.

*Left office 12/8/88.

*Retired Appellate Justices appointed by the Supreme Court.

*Appointed effective 10/1/88.

*Appointed effective 11/28/88.

*Retired 11/7/88.

*Left office 1/1/89.

**Resigned 12/31/89, elected to Supreme Court effective 1/1/89.

**Appointed effective 9/14/88, left office 12/31/88.

**Retired 8/31/89.

**Elected as Chief Justice effective 1/1/89.

**Appointed effective 1/1/89.

**Appointed as Chief Justice 7/28/89.

**Retired 7/7/89.

COURTS OF APPEALS
Activity for the Year Ending August 31, 1989
(Continued)

**COUNTIES FROM WHICH CASES WERE APPEALED TO A
COURT OF APPEALS DURING FISCAL YEAR 1989**

<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>	<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>
Harris	935	1423	2358	Tom Green	7	10	17
Dallas	590	843	1433	Matagorda	11	5	16
Bexar	247	159	406	Nacogdoches	9	7	16
Tarrant	174	199	373	Van Zandt	8	8	16
Travis	212	120	332	Waller	11	5	16
Nueces	95	74	169	Bastrop	10	5	15
El Paso	69	87	156	Henderson	10	5	15
Cameron	65	69	134	Aransas	3	11	14
Lubbock	49	66	115	Comal	8	6	14
Galveston	72	38	110	Erath	4	10	14
Jefferson	53	53	106	Frio	2	12	14
Smith	51	51	102	Howard	8	6	14
Brazos	35	66	101	Chambers	2	11	13
Collin	39	55	94	Cooke	8	5	13
Brazoria	55	39	94	Freestone	5	8	13
Hidalgo	47	32	79	Lavaca	9	4	13
Potter	28	46	74	Kleberg	6	6	12
Ector	24	46	70	Live Oak	4	8	12
Bell	10	57	67	Panola	7	5	12
Gregg	25	38	63	Rockwall	7	5	12
Webb	47	15	62	Wilson	3	9	12
Fort Bend	25	33	58	Wise	8	4	12
Montgomery	31	25	56	Atascosa	2	9	11
Taylor	22	32	54	Caldwell	2	9	11
Wichita	26	27	53	DeWitt	1	10	11
Denton	11	40	51	Navarro	8	3	11
McLennan	23	28	51	Polk	5	6	11
Grayson	15	28	43	Cherokee	8	2	10
Midland	21	22	43	Goliad	4	6	10
Walker	17	20	37	Limestone	6	4	10
Orange	15	19	34	Medina	6	4	10
Williamson	13	21	34	Ward	4	6	10
Parker	9	23	32	Bee	6	3	9
Anderson	23	8	31	Calhoun	5	4	9
Hood	10	19	29	Colorado	4	5	9
Lamar	8	21	29	Coryell	7	2	9
Hunt	11	13	24	Duval	7	2	9
Johnson	12	12	24	Hardin	8	1	9
Palo Pinto	3	21	24	Hill	2	7	9
Angelina	11	12	23	Jasper	9	0	9
Ellis	12	11	23	Washington	4	5	9
Harrison	19	4	23	Gillespie	4	4	8
Randall	12	11	23	Gonzales	2	6	8
Rusk	17	6	23	Kaufman	4	4	8
San Patricio	6	17	23	Montague	7	1	8
Hale	3	18	21	Pecos	3	5	8
Hopkins	2	19	21	Wilbarger	4	4	8
Bowie	13	7	20	Bosque	4	3	7
Victoria	15	5	20	Brooks	4	3	7
Guadalupe	11	8	19	Brown	3	4	7
Houston	11	8	19	Burnet	3	4	7
Madison	3	16	19	Deaf Smith	1	6	7
Wood	9	10	19	Eastland	3	4	7
Jim Wells	10	8	18	Gray	2	5	7
Kerr	10	8	18	Jones	4	3	7
Liberty	10	8	18	Rains	3	4	7
Hays	4	13	17	Refugio	5	2	7

COURTS OF APPEALS

Activity for the Year Ending August 31, 1989

(Continued)

COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1989

<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>	<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>
Cass	1	5	6	Newton	2	1	3
Dickens	1	5	6	Red River	3	0	3
Grimes	1	5	6	Reeves	1	2	3
Lampasas	1	5	6	San Jacinto	2	1	3
McCulloch	4	2	6	San Saba	1	2	3
Sabine	2	4	6	Shackelford	2	1	3
Shelby	4	2	6	Starr	3	0	3
Wharton	5	1	6	Swisher	1	2	3
Wheeler	2	4	6	Terry	1	2	3
Yoakum	0	6	6	Upshur	2	1	3
Young	4	2	6	Willacy	2	1	3
Zapata	4	2	6	Baylor	2	0	2
Austin	0	5	5	Camp	1	1	2
Bandera	3	2	5	Clay	2	0	2
Falls	2	3	5	Crosby	2	0	2
Franklin	0	5	5	Floyd	0	2	2
Hutchinson	1	4	5	Hall	2	0	2
Jim Hogg	4	1	5	Hamilton	2	0	2
Kendall	5	0	5	Hemphill	2	0	2
Lee	4	1	5	Irion	2	0	2
Milam	2	3	5	Kinney	0	2	2
Nolan	4	1	5	Lamb	1	1	2
Ochiltree	4	1	5	Leon	2	0	2
Robertson	2	3	5	Maverick	2	0	2
Uvalde	5	0	5	Parmer	1	1	2
Coleman	3	1	4	Somervell	0	2	2
Dallam	0	4	4	Andrews	0	1	1
Dimmit	3	1	4	Bailey	1	0	1
Fannin	2	2	4	Callahan	1	0	1
Fayette	1	3	4	Castro	1	0	1
Gaines	2	2	4	Collingsworth	1	0	1
Hockley	4	0	4	Concho	1	0	1
Jack	1	3	4	Cottle	0	1	1
Karnes	1	3	4	Crane	1	0	1
Llano	1	3	4	Crockett	1	0	1
Moore	2	2	4	Delta	0	1	1
Morris	1	3	4	Garza	0	1	1
Runnels	2	2	4	Hartley	1	0	1
Scurry	2	2	4	Haskell	0	1	1
Sherman	3	1	4	Hudspeth	0	1	1
Stephens	0	4	4	Jeff Davis	0	1	1
Trinity	2	2	4	Kent	1	0	1
Tyler	2	2	4	LaSalle	1	0	1
Archer	2	1	3	Lynn	1	0	1
Blanco	2	1	3	McMullen	1	0	1
Burleson	3	0	3	Menard	1	0	1
Carson	1	2	3	Mills	1	0	1
Childress	1	2	3	Presidio	1	0	1
Comanche	2	1	3	Reagan	0	1	1
Dawson	3	0	3	Real	1	0	1
Fisher	2	1	3	Roberts	0	1	1
Hardeman	3	0	3	San Augustine	1	0	1
Jackson	2	1	3	Schleicher	1	0	1
Kimble	0	3	3	Sutton	1	0	1
Knox	2	1	3	Titus	1	0	1
Lipscomb	2	1	3	Throckmorton	1	0	1
Marion	2	1	3	Val Verde	0	1	1
Martin	2	1	3	Winkler	1	0	1