

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

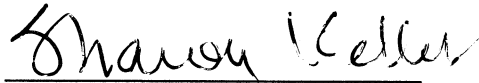
Misc. Docket No. 19-005

ORDER PROPOSING THE ADOPTION OF TEXAS RULE OF APPELLATE PROCEDURE 73.9

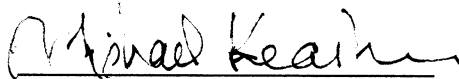
ORDERED that:

1. Pursuant to section 22.108 of the Texas Government Code, the Court of Criminal Appeals proposes the adoption of Rule of Appellate Procedure 73.9.
2. This amendment may be changed in response to public comments received before October 1, 2019. Any person may submit written comments to the Court of Criminal Appeals at txccarulescomments@txcourts.gov or by mail to the Clerk of the Court of Criminal Appeals at P.O. Box 12308, Austin, Texas 78711.
3. The Clerk is directed to:
 - a. file a copy of this order with the Secretary of State;
 - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this order to each elected member of the Legislature; and
 - d. submit a copy of the order for publication in the *Texas Register*.

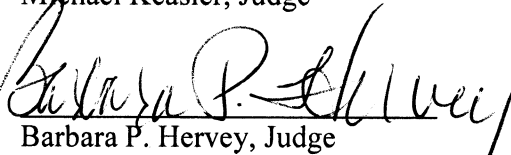
Dated: June 3, 2019.



Sharon Keller, Presiding Judge



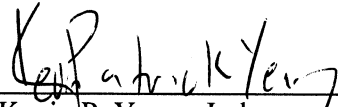
Michael Keasler, Judge



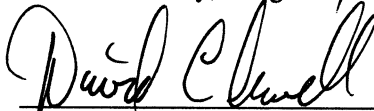
Barbara P. Hervey, Judge



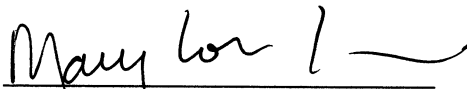
Bert Richardson, Judge



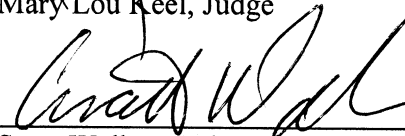
Kevin P. Yeary, Judge



David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Michelle M. Slaughter, Judge

73.9. Rules of Evidence

The Texas Rules of Evidence apply to a hearing held on a postconviction application for a writ of habeas corpus filed under Code of Criminal Procedure Article 11.07 or 11.071.

Comment to 2019 change: Rule 73.9 is added to clarify that the Rules of Evidence apply in hearings held in Article 11.07 and 11.071 habeas corpus cases. This rule does not the limit the ability of an applicant to attached supporting documents to an application for writ of habeas corpus.