

Court of Criminal Appeals Activity Detail: FY 2021

	<i>Pending: 9/1/2020*</i>	<i>Cases Added</i>	<i>Total on Docket</i>	<i>Dispositions</i>	<i>Pending: 8/31/2021</i>
Regular Appeals					
Direct Appeals: Death Penalty	14	8	22	10	12
DNA Appeal - Death Sentence	1	1	2	1	1
Other Appeals	1	2	3	1	2
Granted Petitions for Discretionary Review	82	124	206	105	101
Petitions for Discretionary Review (Includes Granted MRH & Reinstated)	257	979	1236	1,061	175
Redrawn Petitions for Discretionary Review	1	3	4	4	0
Subtotal	356	1,117	1,473	1,182	291
Applications for Writ of Habeas Corpus					
11.071 Writs (death penalty) Received	22	20	42	24	18
Habeas Corpus & Extraordinary Matters (filed & set)	10	122	132	119	13
Habeas Corpus Received	679	2,834	3513	3,146	378
Supplemental 11.07 Writs (other than death penalty)	92	342	434	322	105
Supplemental 11.071 Writs (death penalty)	11	7	18	8	10
Subtotal	814	3,325	4,139	3,619	524
Original Proceedings**					
Capital (Mandamus & Prohibitions)	0	2	2	2	0
Supplemental Original-OR/HC	0	1	1	1	0
Supplemental Original-OR/PRO	1	0	1	1	0
Supplemental Received Writ of Mandamus	16	63	79	80	5
Writs of Certiorari	2	4	6	5	1
Writs of Habeas Corpus	20	94	114	101	13
Writs of Mandamus	108	364	472	415	56
Writs of Prohibition	1	5	6	6	0
Subtotal	148	533	681	611	75
Motions for Rehearing & Reconsideration					
Motions for Reconsideration (for original proceedings & 11.07 & 11.071 writs)	61	249	310	223	86
Motions for Stay of Execution (for 11.071 writs)	0	8	8	8	0
Rehearing on Direct Appeal	0	2	2	1	1
Rehearing on Granted Petitions for Discretionary Review	1	9	10	9	1

Rehearing on Habeas Corpus (filed & set)	0	6	6	6	0
Rehearing on Refused Petitions for Discretionary Review	2	27	29	27	2
Subtotal	64	301	365	274	90
Motions***	79	2,092	2171	2,033	138
Total	1,461	7,368	8,829	7,719	1,123

* 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.

** Original proceedings are filed directly with the Court of Criminal Appeals.

*** Motions for extension of time and other motions.

PENDING CASE STATUS: FY 2021

	9/1/2020				8/31/2021			
	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	<i>Total Pending</i>	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	<i>Total Pending</i>
Direct Appeal: Death Penalty	1	0	15	16	9	1	2	12
Direct Appeal: Death Penalty & Other	0	0	2	2	2	0	1	3
Granted Petitions for Discretionary Review	0	0	90	90	11	5	85	101
Habeas Corpus & Extraordinary Matters	0	0	29	29	4	0	9	13
TOTAL	1	0	136	137	26	6	97	129

MANNER OF DISPOSITION: Appeals & Original Proceedings, FY 2021

Direct Appeals:

Death Penalty

Abated and remanded	1
Affirmed	6
Remanded to the Trial Court	2
Vacate Trial Court judgment-remand to Trial Court	1
TOTAL: Death Penalty	10

Death Penalty - DNA Appeal

Affirmed	1
TOTAL: Death Penalty - DNA Appeal	1

Other Appeals

Dismissed as moot	1
TOTAL: Other Appeals	1

TOTAL: Direct Appeals 12

Petitions for Discretionary Review

Dismissed	1
Dismissed with written order	1
Granted	123
Refused	3
Refused	928
Struck	4
Untimely	1
TOTAL: Petitions for Discretionary Review	1061

Granted Petitions for Discretionary Review

Affirmed court of appeals	13
Affirmed in part & reversed in part court of appeals	1
COA Reversed, Trial Court Reinstated	1
Judgment of the Court of Appeals Reversed	2

Reversed COA; Affirmed the Trial Court	1
Reversed COA; Affirmed the Trial Court	6
Reversed court of appeals & remanded to court of appeals	25
Reversed court of appeals & remanded to trial court	3
Vacated COA; Remanded COA	53
TOTAL: Granted Petitions for Discretionary Review	105

Redrawn Petitions for Discretionary Review

Refused	4
TOTAL: Redrawn Petitions for Discretionary Review	4

Habeas Corpus & Extraordinary Matters (Filed & Set)

Dismissed	1
Habeas corpus relief denied	1
Habeas corpus relief granted	108
HC Relief Granted in Part and Denied in Part	2
HC remanded TC - evidentiary hearing or affidavits	2
Mandamus relief conditionally granted	3
Mandamus relief denied in part and granted in part	1
Prohibition Relief conditionally granted	1
TOTAL: Habeas Corpus & Extraordinary Matters (Filed & Set)	119

Applications for Writ of Habeas Corpus Received

Abuse of writ order entered	17
Abuse of writ order previously entered	62
Denied with written order	11
Dismissed	120
Dismissed - Art. 11.07, Section 4	538
Dismissed - Art. 11.07, Tex.Gov. Code 501.0081	15
Dismissed - direct appeal pending, no action	64
File and set	105
Filed	1
Granted	1
Habeas corpus denied/dismissed with order	24
Habeas corpus dismissed - community supervision not revoked	38

Habeas corpus dismissed - juvenile matter	1
Habeas corpus dismissed - misdemeanor Offense	4
Habeas corpus dismissed - moot	1
Habeas corpus dismissed - moot	68
Habeas corpus dismissed - sentence discharged	104
Habeas corpus dismissed - Ybarra	27
Habeas corpus dismissed for non-compliance	299
Habeas corpus dismissed with written order	6
Habeas corpus dismissed/Daniel	1
Habeas corpus relief denied on findings of trial court with hearing	20
Habeas corpus relief denied on findings of trial court without hearing	852
Habeas corpus relief denied without written order	690
HC relief denied with written order/opinion	14
HC remanded TC - evidentiary hearing or affidavits	385
TOTAL: Applications for Writ of Habeas Corpus	3468

11.071 Applications for Writ of Habeas Corpus

11.071 writ denied with written order	5
Denied/dismissed with order	4
Dismissed with written order	11
File and set	5
Habeas corpus relief denied	1
Remand tr ct w/order Art. 11.071, Sec. 6	6
TOTAL: 11.071 Applications for Writ of Habeas Corpus	32

Original Proceedings - Non Capital

File and set	4
Motion for leave to file denied without written order	490
Motion for leave to file dismissed - Padilla	46
Motion for leave to file held in abeyance with written order	69
TOTAL: Original Proceedings - Non Capital	609

Original Proceedings - Capital

Motion for leave to file denied without written order	2
TOTAL: Original Proceedings - Capital	2

Motions for Reconsideration

Dismissed as moot	1
Motion for reconsideration - denied/dismissed with written order	1
Motion for reconsideration - dismissed	112
Motion for reconsideration - dismissed with written order	2
Motion for reconsideration denied	78
Motion for reconsideration granted	29
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TOTAL: Motions for Reconsideration	223

Motions for Stay of Execution

Denied	5
Motion for stay of execution granted	3
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TOTAL: Motions for Stay of Execution	8

MANNER OF DISPOSITION: Motions for Rehearing, FY 2021

	<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	0	0	0	1	0	1
Rehearing on Granted Petitions for Discretionary Review	0	0	0	1	8	0	9
Rehearing on Habeas Corpus (filed & set)	0	0	0	2	4	0	6
Rehearing on Refused Petitions for Discretionary Review	0	0	0	0	27	0	27
Total	0	0	0	3	40	0	43

OPINION SUMMARY
Direct Appeals, Habeas, Petitions for Discretionary Review
FY 2021

<i>Judge</i>	<i>Signed Opinions on the Merits</i>	<i>PerCuriam</i>	<i>Concurring</i>	<i>Dissenting</i>	<i>Concurring / Dissenting</i>	TOTAL
Keller	14	20	4	15		53
Keasler	3	3	1			7
Hervey	6	10	2	2		20
Richardson	2	21	4	1		28
Yeary	9	17	11	71	2	110
Newell	8	13	4	6		31
Keel	12	24	2	1		39
Walker	6	24	4	9		43
Slaughter	7	25	1	2		35
Mcclure	3	5	1			9
TOTAL	70	162	34	107	2	375

**PETITIONS FOR REVIEW FILED BY COUNTY
FY 2021**

County	Filed	Granted	Refused	Dismissed	Untimely	Struck	Other	Total Disposed
Anderson	0	0	1	0	0	0	0	1
Angelina	5	1	4	0	0	0	0	5
Atascosa	1	0	1	0	0	0	0	1
Bandera	1	0	1	0	0	0	0	1
Bastrop	1	0	1	0	0	0	1	2
Baylor	4	0	2	0	0	0	0	2
Bee	0	0	1	0	0	0	0	1
Bell	16	5	13	0	0	0	0	18
Bexar	35	4	31	0	0	2	3	40
Bosque	1	0	1	0	0	0	0	1
Bowie	8	1	9	0	0	0	0	10
Brazoria	7	1	9	0	0	0	1	11
Brazos	13	1	10	0	0	0	1	12
Brown	3	0	4	0	0	0	0	4
Burleson	1	0	1	0	0	0	0	1
Burnet	2	2	1	0	0	0	0	3
Caldwell	1	0	1	0	0	0	0	1
Calhoun	0	0	1	0	0	0	0	1
Cameron	10	0	9	0	0	0	2	11
Carson	1	0	1	0	0	0	0	1
Cass	1	0	1	0	0	0	0	1
Chambers	5	2	2	0	0	0	0	4
Cherokee	1	0	0	0	0	0	0	0
Childress	3	0	3	0	0	0	0	3
Collin	19	1	18	0	0	1	1	21
Colorado	1	0	1	0	0	0	0	1
Comal	17	2	14	0	0	1	1	18
Comanche	2	1	2	0	0	0	0	3
Concho	1	0	1	0	0	0	0	1
Cooke	5	1	6	0	0	0	1	8
Coryell	4	0	4	0	0	0	0	4
Dallas	75	10	79	0	0	0	1	90
Dawson	1	0	2	0	0	0	0	2
Deaf Smith	1	0	1	0	0	0	0	1
Delta	1	0	1	0	0	0	0	1
Denton	12	0	14	0	0	0	0	14
Donley	3	0	0	0	0	0	0	0
Eastland	4	2	6	0	0	0	0	8
Ector	14	9	12	0	0	0	0	21
El Paso	24	2	18	0	0	0	0	20
Ellis	2	0	2	0	0	0	0	2
Erath	0	1	0	0	0	0	0	1
Falls	1	0	1	0	0	0	0	1
Fannin	1	0	0	0	0	0	0	0
Fort Bend	12	2	15	0	0	0	0	17
Freestone	2	1	2	0	0	0	0	3
Gaines	1	0	0	0	0	0	0	0
Galveston	16	2	17	0	0	0	0	19
Gillespie	3	0	3	0	0	0	0	3
Goliad	0	0	1	0	0	0	0	1

Gonzales	1	0	1	0	0	0	0	1
Grayson	3	0	2	0	0	0	0	2
Gregg	11	4	10	0	0	0	1	15
Grimes	2	0	3	0	0	0	0	3
Guadalupe	1	1	7	0	0	0	0	8
Hale	1	0	4	0	0	0	0	4
Hall	1	0	1	0	0	0	0	1
Hamilton	3	3	4	0	0	0	0	7
Hardeman	0	0	1	0	0	0	0	1
Hardin	2	1	1	0	0	0	0	2
Harris	174	16	142	1	0	0	7	166
Hartley	1	0	1	0	0	0	0	1
Hays	4	0	1	0	0	0	0	1
Henderson	5	0	5	0	0	0	0	5
Hidalgo	10	1	9	0	0	0	0	10
Hill	6	0	5	0	0	0	0	5
Hockley	1	0	1	0	0	0	0	1
Hood	3	0	6	0	0	0	0	6
Howard	8	0	8	0	0	0	0	8
Hudspeth	1	0	1	0	0	0	0	1
Hunt	11	3	4	0	0	0	1	8
Hutchinson	1	0	2	0	0	0	0	2
Jack	1	0	1	0	0	0	0	1
Jackson	0	1	0	0	0	0	0	1
Jeff Davis	1	0	1	0	0	0	0	1
Jefferson	3	0	2	0	0	0	0	2
Johnson	9	0	7	0	0	0	0	7
Jones	4	2	1	0	0	0	1	4
Karnes	1	0	0	0	0	0	0	0
Kaufman	1	0	3	0	0	0	0	3
Kendall	2	0	1	0	0	0	0	1
Kerr	2	0	2	0	0	0	0	2
Kleberg	4	0	5	0	0	0	0	5
Lamar	5	1	7	0	0	0	0	8
Leon	3	1	5	0	0	0	0	6
Liberty	16	5	11	0	0	0	0	16
Limestone	3	1	3	0	0	0	0	4
Live Oak	1	0	1	0	0	0	0	1
Llano	4	3	3	0	0	0	0	6
Lubbock	4	1	3	0	0	0	0	4
Marion	1	0	0	0	0	0	0	0
McLennan	20	5	17	0	1	0	1	24
Menard	3	0	0	0	0	0	0	0
Midland	9	1	14	0	0	0	0	15
Milam	2	2	0	0	0	0	0	2
Mills	2	0	2	0	0	0	0	2
Montague	1	0	1	0	0	0	0	1
Montgomery	20	1	21	0	0	0	5	27
Morris	2	0	2	0	0	0	0	2
Navarro	3	1	4	0	0	0	0	5
Newton	2	2	0	0	0	0	0	2
Nolan	4	2	5	0	0	0	0	7
Nueces	8	0	7	0	0	0	0	7

Oldham	3	0	3	0	0	0	0	3
Orange	2	0	1	0	0	0	0	1
Palo Pinto	1	0	2	0	0	0	0	2
Parker	4	0	5	0	0	0	0	5
Pecos	1	0	1	0	0	0	0	1
Polk	1	0	1	0	0	0	0	1
Potter	2	0	6	0	0	0	0	6
Randall	3	0	2	0	0	0	0	2
Red River	1	0	1	0	0	0	0	1
Robertson	3	0	3	0	0	0	0	3
Rockwall	3	0	3	0	0	0	0	3
Rusk	2	0	0	0	0	0	0	0
San Jacinto	1	0	1	0	0	0	0	1
San Patricio	4	0	6	0	0	0	0	6
Scurry	5	0	4	0	0	0	0	4
Smith	46	8	33	0	0	0	2	43
Starr	1	0	1	0	0	0	0	1
Tarrant	85	5	83	0	0	0	0	88
Taylor	19	0	20	0	0	0	0	20
Tom Green	6	0	6	0	0	0	0	6
Travis	22	0	24	0	0	0	0	24
Trinity	1	0	2	0	0	0	0	2
Upshur	5	0	3	0	0	0	0	3
Val Verde	0	0	1	0	0	0	0	1
Victoria	4	1	2	0	0	0	0	3
Walker	11	0	10	0	0	0	0	10
Waller	1	0	1	0	0	0	0	1
Ward	1	0	1	0	0	0	0	1
Washington	9	0	5	0	0	0	0	5
Webb	4	0	4	0	0	0	0	4
Wheeler	2	0	2	0	0	0	0	2
Wichita	8	0	9	0	0	0	0	9
Wilbarger	4	0	3	0	0	0	0	3
Williamson	5	0	5	0	0	0	0	5
Wilson	2	0	3	0	0	0	0	3
Wise	4	0	2	0	0	0	0	2
Total	1,009	123	935	1	1	4	30	1,094

**PETITIONS FOR REVIEW FILED BY COURT OF APPEALS
FY 2021**

Court	Filed	Granted	Refused	Dismissed	Untimely	Struck	Other	Total Disposed	Percentage of Petitions Granted
1st - Houston	120	13	121	0	0	0	1	135	9.6%
2nd - Fort Worth	101	5	96	0	0	0	1	102	4.9%
3rd - Austin	66	9	56	0	0	1	2	68	13.2%
4th - San Antonio	41	5	43	0	0	2	3	53	9.4%
5th - Dallas	108	14	106	0	0	1	2	123	11.4%
6th - Texarkana	52	8	46	0	0	0	2	56	14.3%
7th - Amarillo	53	3	59	0	0	0	0	62	4.8%
8th - El Paso	47	2	42	0	0	0	1	45	4.4%
9th - Beaumont	48	9	39	0	0	0	5	53	17.0%
10th - Waco	67	10	58	0	1	0	2	71	14.1%
11th - Eastland	64	18	65	0	0	0	0	83	21.7%
12th - Tyler	49	7	37	0	0	0	2	46	15.2%
13th - Corpus Christi	65	6	67	0	0	0	2	75	8.0%
14th - Houston	128	14	100	1	0	0	7	122	11.5%
Total	1,009	123	935	1	1	4	30	1,094	11.2%

**GRANTED PETITIONS FOR REVIEW DISPOSED BY COURT OF APPEALS
FY 2021**

Opinion Issued	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	Total
Affirmed COA	1	2	1	1	1	1	1	2				2		1	13
COA Affirmed in part/Reversed in part					1										1
COA Reversed, Trial Court Reinstated								1							1
Judgment of the Court of Appeals Reversed	1			1											2
Reversed COA; Affirmed the Trial Court			1		1	1								4	7
Reversed COA; Remanded COA	6	1		3	4	1	1	1	1	3		1	2	1	25
Reversed COA; Remanded Trial Court					1			1	1						3
Vacated COA; Remanded COA	5	2	5		4	4	1			6	14	7	3	2	53
Total	13	5	7	5	12	7	3	5	2	9	14	10	5	8	105