

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 05-9025

ORDER RELATING TO RETENTION AND DISPOSITION OF DEPOSITION TRANSCRIPTS IN CIVIL CASES

IT IS ORDERED:

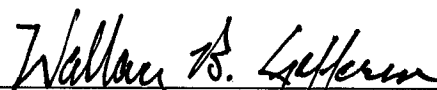
As provided by Rule 191.4(e), Texas Rules of Civil Procedure, the Supreme Court hereby directs that deposition transcripts and depositions upon written questions be retained and disposed of by the clerk of the court in which the same are filed on the following basis.

The order shall apply only to: (1) those cases in which judgment has been rendered on service of process by publication and in which no motion for new trial was filed within two years after judgment was signed; and (2) all other cases in which judgment has been signed for one year and in which no appeal was perfected or in which a perfected appeal was dismissed or concluded by a final judgment as to all parties and the issuance of the appellate court's mandate such that the case is no longer pending on appeal or in the trial court.

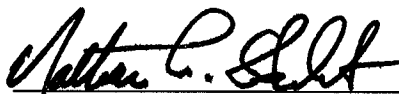
The party who offered a deposition transcript or deposition upon written questions may withdraw it from the clerk's office within thirty days of the later of (1) a case becoming subject to this order, or (2) the effective date of this order. The clerk, unless otherwise directed by the court, may dispose of any deposition transcript or deposition upon written questions remaining after such time period.

This order is effective June 1, 2005. The Clerk of the Supreme Court of Texas is directed to 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* at least twice before the effective date of this order.

SIGNED AND ENTERED this 27th day of January, 2005.



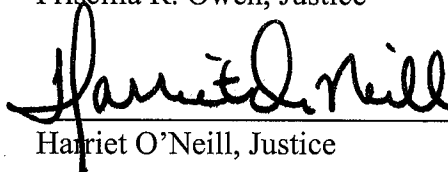
Wallace B. Jefferson, Chief Justice



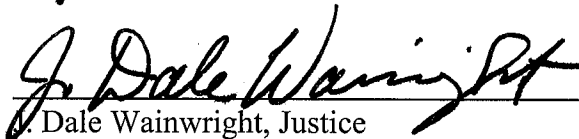
Nathan L. Hecht, Justice



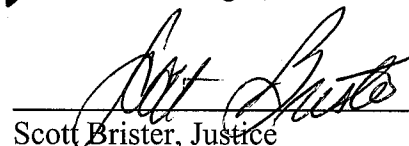
Priscilla R. Owen, Justice



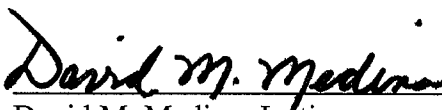
Harriet O'Neill, Justice



Dale Wainwright, Justice



Scott Brister, Justice



David M. Medina, Justice



Paul W. Green, Justice