

IN THE SUPREME COURT OF TEXAS

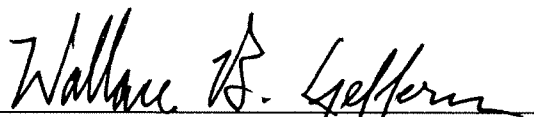
Misc. Docket No. 09- 9090


**APPROVAL OF AMENDMENTS TO THE LOCAL RULES
FOR THE SECOND COURT OF APPEALS**

ORDERED that:

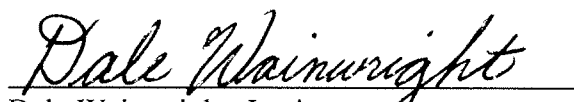
Pursuant to Texas Rule of Appellate Procedure 1.2, this Court approves the following amendments to the local rules for the Court of Appeals for the Second Court of Appeals District in Fort Worth, Texas. This Order supersedes and vacates the Order dated April 7, 2009, in Misc. Docket No. 09-9061.

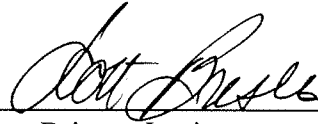
In Chambers, this 8th day of June, 2009.


Wallace B. Jefferson, Chief Justice

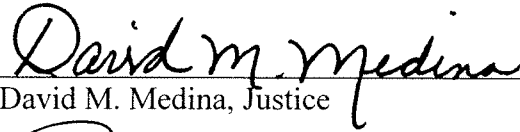

Nathan L. Hecht, Justice

Harriet O'Neill, Justice


Dale Wainwright, Justice




Scott Brister, Justice



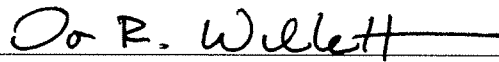
David M. Medina, Justice



Paul W. Green, Justice



Phil Johnson, Justice



Don R. Willett, Justice



COURT OF APPEALS
SECOND DISTRICT OF TEXAS

CHIEF JUSTICE
JOHN CAYCE

JUSTICES
TERRIE LIVINGSTON
LEE ANN DAUPHINOT
ANNE GARDNER
SUE WALKER
BOB McCOY
BILL MEIER

TARRANT COUNTY JUSTICE CENTER
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LAUREN CHADWICK

AMENDMENT TO SECOND COURT OF APPEALS
LOCAL RULES

SUBMISSION OF ELECTRONIC BRIEFING

TO BE ADDED TO LOCAL RULE 1 AS SUBHEADING K:

K. Submission of Electronic Briefing

For the convenience of the Court, the Court asks, but does not require, that briefs filed in this Court be accompanied by an electronic copy of the brief, submitted as a courtesy to the Court in compliance with the following guidelines:

(1) The submission of a brief in electronic format (eBrief) is not considered a filing in this Court. Electronic filings will not be considered in determining whether a brief is timely filed under the Rules of Appellate Procedure. Prior to submission of an eBrief, a printed-on-paper brief must have been filed in compliance with the Texas Rules of Appellate Procedure that requires a printed original of the brief and four printed copies to be filed with the Court.

(2) All eBriefs should be submitted either by email attachment addressed to ebrief@2ndcoa.courts.state.tx.us or on a CD.

NOTE: If you are emailing the eBrief and the file size is greater than 20 MB, you will need to separate the document into different files and email each file individually. Please identify each file clearly by labeling the individual parts (e.g. Appendix Part 1, Appendix Part 2, etc.)

(3) Each email attachment or CD must include information or a label, that identifies the case name, the docket number, type of filing (i.e. appellant's brief, appellee's brief, appellant's reply brief, etc.), and the word-processing software and version used to prepare the brief. If submitting by email, please attach a Certificate of Compliance. A link to the certificate can be found at the bottom of this page. If submitting an eBrief on CD, please enclose a Certificate of Compliance with the CD.

(4) The Court prefers eBriefs be submitted in a searchable PDF format. If this format is not available to you, please use updated Word Perfect or Word formats.

(5) The email attachment or CD must contain only an electronic copy of the submitted filing. The email attachment or CD must not contain any document or material that is not included in the original hard copy of the filing with the Court. The CD version of a brief may include hyperlinks to documents that could be included in an appendix but were too voluminous or impracticable to be attached to the hard copy. See Tex. R. App. P. 38.1(j)

(6) The email attachment or CD must be free of viruses, spyware, adware, rootkits, or any other similar data or files that would be disruptive to the Court's computer system.

(7) By submitting your brief electronically, you are consenting to its publication through the Court's web page.

- Certificate of Compliance [pdf] -

CERTIFICATE OF COMPLIANCE

At the request of the Court, I certify that this submitted computer CD (or email attachment) complies with the following requests of the Court:

(1). This filing is labeled with or accompanied by the following information:

a. Case Style:

b. Case Number:

c. The Type of Brief:

d. The Word Processing Software and Version Used to prepare the filing:

2. This CD (or email attachment) contains only an electronic copy of the original document which was filed in the Second Court of Appeals Clerk's office and does not contain any document or portion thereof that is not included in the original filing, except for hyperlinks to documents that could be included in an appendix but were too voluminous or impracticable to be attached to the hard copy.

3. The electronic filing is free of viruses, spyware, adware, rootkits, or any other similar data or files that would be disruptive to the Court's computer system. The following software, if any, was used to ensure the filing is in compliance:_____.

4. **I understand the submission of a brief in electronic format is not considered a filing in this Court. All eBriefs submitted must have been previously filed in printed form in compliance with the Texas Rules of Appellate Procedure.**

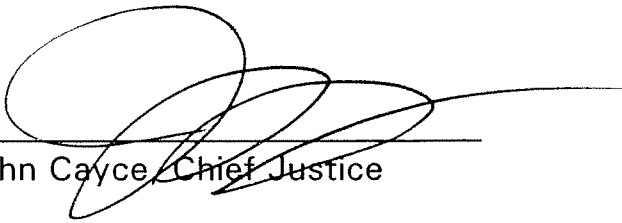
(Signature of filing party)

(Printed name)

(Firm)

(Date)

Signed this 4th day of May, 2009.



John Cayce, Chief Justice



Terrie Livingston, Justice



Lee Ann Dauphinot, Justice



Anne Gardner, Justice



Sue Walker, Justice



Bob McCoy, Justice



Bill Meier, Justice



COURT OF APPEALS
SECOND DISTRICT OF TEXAS

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CHIEF STAFF ATTORNEY
LAUREN CHADWICK

May 13, 2009

Hon. Wallace B. Jefferson
Chief Justice, Supreme Court of Texas
Supreme Court Building
P.O. Box 12248
Austin, TX 78711-2248

Hon. Sharon Keller
Presiding Judge, Court of Criminal Appeals
P.O. Box 12308, Capitol Station
Austin, TX 78711

Re: Amendment to Local Rules

Dear Chief Justice Jefferson and Presiding Judge Keller:

Enclosed is a copy of this court's Local Rule 1.K. that was recently approved by the Supreme Court April 7, 2009, Misc. Docket No. 09-9061 and approved by the Court of Criminal Appeals on March 31, 2009. Per Kennon Peterson's suggestions the court made a couple of non-substantive changes to the rules. Enclosed is the final version for your approval.

Please feel free to contact me at 817/884-1900 ext. 226 if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephanie Robinson".

Stephanie Robinson, Clerk of the Court

Encl.

cc: Blake Hawthorne, Clerk of the Court, Supreme Court of Texas
✓ Kennon Peterson, Rules Attorney, Supreme Court of Texas
Louise Pearson, Clerk of the Court, Court of Criminal Appeals