

# Court of Criminal Appeals

Activity for the Year Ended August 31, 1996

## Summary of Docket Activity

### Cases Disposed Of During The Year Ended August 31, 1996:

Direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs disposed of by the Court	323
Petitions for discretionary review disposed of by the Court	1779
Cases disposed of after granting petitions for discretionary review	223
Applications for writs of habeas corpus, etc., disposed of by the Court	<u>4232</u>
Total Cases Disposed Of By The Court	6557

### Motions And Applications Disposed Of During The Year Ended August 31, 1996:

Motions for extensions of time to file transcriptions of court reporter's notes, bills of exceptions, briefs, and petitions for discretionary review	2578
Petitions for discretionary review refused as untimely filed	24
Total Motions and Applications Disposed Of By The Court	<u>2602</u>
Grand Total Of Matters Disposed Of By The Court	<u>9159</u>

### Matters Pending August 31, 1996:

Direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs	132
Cases on granted petitions for discretionary review pending	110
Petitions for discretionary review pending	466
Applications for writs of habeas corpus, etc., pending	1019
Total Matters Pending August 31, 1996	1727

# Court of Criminal Appeals

Activity for the Year Ended August 31, 1996

(Continued)

## On Direct Appeal

Cases pending September 1, 1995	137	
Cases filed for the year ended August 31, 1996	307	
Cases reinstated through August 31, 1996	9	
Rehearings granted through August 31, 1996	2	
Total On Docket		455

Disposition of direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs:

Affirmed	45	
Reversed and remanded	2	
Appeals abated	7	
Appeals dismissed	3	
Habeas Corpus relief granted in part and denied in part	1	
Habeas Corpus applications abated	1	
Habeas Corpus applications granted	245	
Habeas Corpus applications denied	6	
Mandamus relief granted	1	
Mandamus relief denied	1	
Habeas Corpus applications dismissed	4	
Out of time appeals granted	2	
Vacate trial court; remand to trial court	2	
Affirmed and remanded to trial court	3	
Total Cases Disposed		323

Cases Pending August 31, 1996:

Direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs:

Cases not set for submission	54	
Cases set for submission	15	
Submitted	63	

Total Cases Pending		132
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Cases awaiting issuance of mandate [24]

# Court of Criminal Appeals

Activity for the Year Ended August 31, 1996

(Continued)

<b>On Petitions For Discretionary Review</b>		
Petitions for Discretionary Review pending September 1, 1995	395	
Petitions for Discretionary Review filed during the year ended August 31, 1996	1847	
Petitions for Discretionary Review reinstated through August 31, 1996	0	
Rehearings granted through August 31, 1996	3	
Total Petitions On Docket		2245
Disposition of Petitions for Discretionary Review:		
Granted	211	
Refused	1554	
Dismissed	11	
Refused with written opinion	3	
Total Petitions Disposed		1779
Petitions for Discretionary Review Pending on August 31, 1996		466
<b>On Granted Petitions For Discretionary Review</b>		
Granted petitions for discretionary review pending September 1, 1995	122	
Granted petitions filed through August 31, 1996	211	
Rehearings granted through August 31, 1996	0	
Cases Reinstated through August 31, 1996	0	
Total Granted Petitions On Docket		333
Cases disposed on granted petitions for discretionary review for the year ended August 31, 1996:		
Affirmed in part; vacated in part; remanded to Court of Appeals	2	
Court of Appeals affirmed	22	
Court of Appeals reversed and remanded to the Court of Appeals	27	
Court of Appeals and the trial court reversed and remanded to the trial court	2	
Court of Appeals reversed and remanded to the trial court	10	
Court of Appeals reversed and trial court affirmed	62	
Court of Appeals reversed and trial court reformed	2	
Court of Appeals reversed and dismissed	2	
Court of Appeals vacated and remanded to Court of Appeals	63	
Dismissed and refused as improvidently granted	12	
Dismissed	9	
Judgment of Court of Appeals, as reformed, affirmed	1	
Remanded to Court of Appeals	8	
Reversed Court of Appeals and trial court; remanded to trial court	1	
Total Cases Disposed		223
Cases pending on granted petitions for discretionary review for year ended August 31, 1996:		
Petitions Not Set for Submissions	23	
Petitions Set for Submission	22	
Petitions Submitted	65	
Total Cases Pending		110

# Court of Criminal Appeals

Activity for the Year Ended August 31, 1999

(Continued)

<b>Motions For Rehearing On Direct Appeal</b>		
Motions for rehearing pending September 1, 1995	11	
Motions for rehearing filed through August 31, 1996	41	
Total Motions for Rehearings on Direct Appeal on Docket		52
Dispositions of Motions for Rehearing on Direct Appeal:		
Motions granted without written opinions	2	
Motions denied with written opinions	0	
Motions denied without written opinions	37	
Motions dismissed without written opinions	0	
Total Motions Disposed		39
Motions for Rehearings on Direct Appeal Pending on August 31, 1996		13
Motions for rehearing pending September 1, 1995	2	
Motions for rehearing filed through August 31, 1996	50	
Total Rehearings on Refused Petitions for Discretionary Review on Docket		52
Dispositions of Motions for Rehearing on Discretionary Review Cases:		
Motions granted without written opinions	3	
Motions granted with written opinions	0	
Motions denied with written opinions	0	
Motions denied without written opinions	46	
Motions granted, PDRs previously refused	0	
Motions dismissed without written opinions	0	
Total Motions Disposed		49
Rehearings on Refused Discretionary Review Pending on August 31, 1996		3
<b>Motions For Rehearing On Granted Petitions For Discretionary Review</b>		
Motions for rehearing pending September 1, 1995	4	
Motions for rehearing filed through August 31, 1996	44	
Total Rehearings on Granted Petitions for Discretionary Review on Docket		48
Dispositions of Motions for Rehearing on Granted Discretionary Review Cases:		
Motions granted without written opinions	0	
Motions denied with written opinions	0	
Motions denied without written opinions	33	
Motions granted, PDRs previously refused	0	
Motions dismissed without written opinions	0	
Total Motions Disposed		33
Rehearings on Granted Discretionary Review Pending on August 31, 1996		15

# Court of Criminal Appeals

Activity for the Year Ended August 31, 1996

(Continued)

## Opinions Written By The Court For The Year Ended August 31, 1996 On Direct Appeals And Petitions For Discretionary Review

Original opinions	534
Concurring opinions	66
Dissenting opinions	122
Opinions concurring in part and dissenting in part	14
Opinions granting rehearing	12
Opinions denying rehearing	1
Total	<u>749</u>

## Applications For Writ Of Habeas Corpus, etc.

Total Writs pending September 1, 1995	*	521
Article 11.07 Writs filed during year ending August 31, 1996		4445
Supplementals filed during the Year Ended August 31, 1996		234
Motions for Reconsideration Received		19
Article 11.071 Writs Received		16
Motions for Stay of Execution Received		<u>16</u>
Total Applications On Docket		5251

## Disposition of Applications for Writ of Habeas Corpus, etc: (Motions for Rehearing Included)

Applications ordered filed and set for submission	265
Hearings ordered on applications	33
Applications denied with written order	26
Applications denied without written order	2704
Applications dismissed	201
Motions for leave to file denied with written order	11
Motions for leave to file granted with written order	2
Motions for leave to file held in abeyance, respondent/trial court ordered to file answer	12
Motions for leave to file denied without written order	180
Motions to reconsider denied	16
Abuse of the Writ	19
Direct Appeal Pending - Dismiss	63
Dismissed - Article 11.07, Section 4	425
Remanded for Evidentiary Hearing	259
Motions for Stay of Execution Granted	14
Motions for Stay of Execution Denied	2
Total Applications Disposed	4232

Applications for Writ of Habeas Corpus Pending on August 31, 1996 1019

\* Includes Docket Adjustment.