

Supreme Court

Activity for the Year Ended August 31, 1996

Summary of Docket Activity

A. Causes Of Action Passed On During The Year Ended August 31, 1996:	
Regular causes determined by the Court	142
Applications for writs of error determined	1,011
Motions for leave to file petitions for writs of mandamus involving civil cases determined	305
Petitions for writs of habeas corpus determined	23
Writs of prohibitions and injunction determined	12
Petitions for review	1
Direct appeals	8
Petition to publish under Rule 90c, T.R.A.P	9
Petitions for temporary injunction	2
Miscellaneous procedures	4
Total Causes Passed On By The Court	1,517
B. Motions Passed On During The Year Ended August 31, 1996:	
Motions for rehearing of causes determined by the Court	89
Motions for rehearing of applications for writs of error determined	309
Motions for rehearing of motions for leave to file petitions for writs of mandamus determined	32
Motions for rehearing of habeas corpus determined	2
Motions for rehearing of petition for review	1
Motions for rehearing of direct appeals	4
Miscellaneous motions passed on by the Court	1,217
C. Appeals From The Board Of Disciplinary Appeals	10
Total Motions And Appeals Passed On By The Court	1,664
Grand Total Of Matters Passed On By The Court	3,181
D. Matters Pending August 31, 1996:	
Regular causes (not including motions for rehearing)	52
Applications for writs of error	337
Mandamus	56
Petitions for writs of habeas corpus	2
Writs of prohibition and injunction	3
Direct appeals	1
Petition to publish under Rule 90c, T.R.A.P	2
Petition for temporary injunction	1
Motions for rehearing of causes	20
Motions for rehearing of applications	32
Motions for rehearing of motions for leave to file petitions for writs of mandamus	7
Motions for rehearing of habeas corpus	1
Miscellaneous motions	65
Disciplinary appeals	6
Total Matters Pending August 31, 1996	585

Regular Causes*

A. On Docket Within The Year Ended August 31, 1996:		
Causes pending on September 1, 1995		
(Pending under submission, including motions for rehearing)	37	
(Pending set for submission)	2	
(Pending not set for submission)	3	
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* Regular Causes Pending September 1, 1995		42
By granted applications for writs of error	123	
By granted motions for leave to file petitions for writs of mandamus	24	
By direct appeal	2	
By granted habeas corpus filed	1	
By granted motions for leave to file writs of certiorari	1	
By reinstatement	1	
Regular Causes Added	<hr/>	152
Total Regular Causes On Docket		194
B. Dispositions:		
Judgment of Court of Appeals is reversed in part	3	
Judgment of Court of Appeals is affirmed in part, remanded to court of appeals	1	
Judgment of Court of Appeals affirmed	8	
Judgment of Court of Appeals affirmed and reversed	9	
Judgment of Court of Appeals affirmed, reversed and rendered	1	
Judgment of Court of Appeals reversed and rendered	33	
Judgment of Court of Appeals modified and affirmed	1	
Judgment of Court of Appeals reversed and remanded to trial court	17	
Judgment of Court of Appeals reversed, rendered and remanded to the trial court	1	
Judgment of Court of Appeals reversed, modified and affirmed	1	
Judgment of Court of Appeals vacated and remanded to trial court	1	
Judgment of Court of Appeals reversed, remanded	18	
Judgment of Court of Appeals reversed, trial court affirmed	5	
Judgment of Court of Appeals reversed in part and remanded to trial court	3	
Judgment of Court of Appeals modified	1	
Judgment of Court of Appeals modified and remanded to trial court	1	
Judgment of Court of Appeals set aside, remanded to trial court	1	
Judgment of Court of Appeals reversed, trial court reversed and rendered	1	
Judgment of Court of Appeals reversed, remanded to the commission	1	
Joint motion to dismiss granted	2	
Denied - improvident grant	5	
Granted	1	
Granted in part	1	
Dismissed	1	
Denied	1	

* "Regular Causes" are reported in a separate category because they are the cases which pass through most, if not all, of the steps of the regular appellate decision-making process. Regular causes are cases in which oral argument of counsel in open court is received (unless waived) and in which the Court's decision is usually reported in a written opinion. Most are reviewed in conference by the Supreme Court, before oral argument and decision, upon application for writ of error, with four or more of the justices voting that the decision of the Court of Appeals was erroneous and that the writ therefore should be granted. A similar procedure is followed regarding petitions for original mandamus and habeas corpus, which become "Regular Causes" only after review and vote in conference of an application for writ of error or application to file a petition for original mandamus or habeas corpus.

Regular Causes

(Continued)

B. Dispositions (cont.):		
Mandamus		
Writs conditionally granted	15	
Writs denied	1	
Writs dismissed	2	
Improvident Grant	2	
Motion to withdraw	1	
Direct appeals		
Trial court reversed	1	
Habeas Corpus		
Relators discharged	2	
Total Dispositions		142
C. Causes Pending on August 31, 1996:		
Pending, under submission (includes causes on motions for rehearing)	32	
Pending, set for submission	14	
Pending, not set	6	
Total Causes Pending August 31, 1996:		52
D. Causes Submitted During Year Ended August 31, 1996:		
Orally	79	
On briefs	17	
Total Causes Submitted		96

Cases other than Regular Causes

A. Applications For Writs Of Error:		
1. On Docket:		
** Pending on September 1, 1995	351	
Filed During Year Ended August 31, 1996	989	
Reinstated	8	
Total Applications On Docket		1,348

** Corrected from last report.

Cases other than Regular Causes

(Continued)

A. Applications For Writs Of Error (cont.)		
2. Dispositions:		
Granted	150	
Withdrawn	4	
Writ denied	776	
Dismissed	25	
Dismissed for want of jurisdiction	46	
Dismissed (moot)	2	
Refused	1	
Abated	3	
Reinstated	1	
Transferred	1	
Overruled	2	
Total Applications For Writs Of Error Dispositions	<u>1,011</u>	
Pending August 31, 1996		<u>337</u>
B. Mandamus - Civil:		
1. On Docket:		
Pending September 1, 1995	54	
Filed During Year Ended August 31, 1996	306	
Reinstated	1	
Total Mandamus - Civil On Docket	<u>361</u>	
2. Dispositions:		
Granted	26	
Overruled	247	
Dismissed as moot	8	
Withdrawn	5	
Transferred	1	
Dismissed	18	
Total Mandamus - Civil Dispositions	<u>305</u>	
Pending August 31, 1996		<u>56</u>
C. Habeas Corpus:		
1. On Docket:		
Pending September 1, 1995	5	
Filed During Year Ended August 31, 1996	19	
Reinstated	1	
Total Habeas Corpus On Docket	<u>25</u>	
2. Dispositions:		
Granted	2	
Denied	19	
Relator Discharged	2	
Total Habeas Corpus Dispositions	<u>23</u>	
Pending August 31, 1996		<u>2</u>

Cases other than Regular Causes

(Continued)

D. Writs Of Prohibition And Injunction:		
1. On Docket:		
Pending September 1, 1995	2	
Filed During Year Ended August 31, 1996	<u>13</u>	
Total Writs of Prohibition and Injunction On Docket		15
2. Dispositions:		
Overruled	8	
Dismissed	1	
Dismissed for want of jurisdiction	<u>3</u>	
Total Writs of Prohibition and Injunction Dispositions		<u>12</u>
Pending August 31, 1996		<u><u>3</u></u>
E. Petitions For Review:		
1. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	<u>1</u>	
Total Petitions for Review On Docket		1
2. Dispositions:		
Denied	<u>1</u>	
Total Petitions for Review Dispositions		<u>1</u>
Pending August 31, 1996		<u><u>0</u></u>
F. Direct Appeals:		
1. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	<u>9</u>	
Total Direct Appeals On Docket		9
2. Dispositions:		
Dismissed for want of jurisdiction	3	
Denied	1	
Jurisdiction noted	<u>4</u>	
Total Direct Appeals Dispositions		<u>8</u>
Pending August 31, 1996		<u><u>1</u></u>
G. U.S. Certified Questions:		
1. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	<u>0</u>	
Total U.S. Certified Questions On Docket		0
2. Dispositions:		
Accepted	<u>0</u>	
Total U.S. Certified Questions Dispositions		<u>0</u>
Pending August 31, 1996		<u><u>0</u></u>

Cases other than Regular Causes

(Continued)

H. Petitions For Certiorari:		
1. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	<u>0</u>	
Total Petitions For Certiorari On Docket		0
2. Dispositions:		
Overruled	0	
Denied	<u>0</u>	
Total Petitions For Certiorari Dispositions		<u>0</u>
Pending August 31, 1996		<u><u>0</u></u>
I. Petitions To Publish Under Rule 90c, T.R.A.P.:		
1. On Docket:		
** Pending September 1, 1995	4	
Filed During Year Ended August 31, 1996	<u>7</u>	
Total Petitions To Publish On Docket		11
2. Dispositions:		
Denied	3	
Granted	1	
Overruled	3	
Dismissed	<u>2</u>	
Total Petitions To Publish Dispositions		<u>9</u>
Pending August 31, 1996		<u><u>2</u></u>
J. Petitions For Temporary Injunctions		
1. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	<u>3</u>	
Total Petitions For Temporary Injunctions On Docket		3
2. Dispositions:		
Dismissed	1	
Denied	<u>1</u>	
Total Petitions For Temporary Injunctions Dispositions		<u>2</u>
Pending August 31, 1996		<u><u>1</u></u>
K. Disciplinary Appeals		
1. On Docket:		
Pending September 1, 1995	5	
Filed During Year Ended August 31, 1996	<u>11</u>	
Total Disciplinary Appeals On Docket		16
2. Dispositions:		
Affirmed	5	
Dismissed	3	
Vacated	1	
Dismissed for want of jurisdiction	<u>1</u>	
Total Disciplinary Appeals Dispositions		<u>10</u>
Pending August 31, 1996		<u><u>6</u></u>

** Corrected from last report.

Cases other than Regular Causes

(Continued)

L. Miscellaneous Procedures		
1. On Docket:		
** Pending September 1, 1995	2	
Filed During Year Ended August 31, 1996	<u>2</u>	
Total Miscellaneous Procedures On Docket		4
2. Dispositions:		
Denied	1	
Dismissed	2	
Withdrawn	<u>1</u>	
Total Miscellaneous Procedures Dispositions		<u>4</u>
Pending August 31, 1996		<u><u>0</u></u>
M. Motions:		
1. Motions for Rehearing of Causes		
a. On Docket:		
** Pending September 1, 1995	34	
Filed During Year Ended August 31, 1996	<u>75</u>	
Total Motions For Rehearing Of Causes On Docket		109
b. Dispositions:		
Granted	4	
Overruled	84	
Withdrawn	<u>1</u>	
Total Motions For Rehearing Of Causes Dispositions		<u>89</u>
Pending August 31, 1996		<u><u>20</u></u>
2. Motions for Rehearing of Applications for Writs of Error		
a. On Docket:		
** Pending September 1, 1995	43	
Filed During Year Ended August 31, 1996	<u>298</u>	
Total Motions For Rehearing Of Applications For Writs Of Error On Docket		341
b. Dispositions:		
Granted	4	
Overruled	300	
Dismissed	4	
Withdrawn	<u>1</u>	
Total Motions For Rehearing Of Applications For Writs Of Error Dispositions		<u>309</u>
Pending August 31, 1996		<u><u>32</u></u>

** Corrected from last report.

Cases other than Regular Causes

(Continued)

M. Motions (cont.):		
3. Motions for Rehearing of Motions for Leave to File Petitions for Writs of Mandamus		
a. On Docket:		
Pending September 1, 1995	3	
Filed During Year Ended August 31, 1996	36	
Total Motions For Rehearing Of Motions For Leave To File Petions For Writs Of Mandamus On Docket		39
b. Dispositions:		
Overruled	30	
Granted	1	
Denied	1	
Total Motions For Rehearing Of Motions For Leave To File Petions For Writs Of Mandamus Dispositions		32
Pending August 31, 1996		<u>7</u>
4. Motions for Rehearing on Habeas Corpus		
a. On Docket:		
Pending September 1, 1995	1	
Filed During Year Ended August 31, 1996	2	
Total Motions For Rehearing On Habeas Corpus On Docket		3
b. Dispositions:		
Overruled	1	
Granted	1	
Total Motions For Rehearing On Habeas Corpus Dispositions		2
Pending August 31, 1996		<u>1</u>
5. Motions for Rehearing on Petition for Review		
a. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	1	
Total Motions For Rehearing On Petition For Review On Docket		1
b. Dispositions:		
Overruled	1	
Total Motions For Rehearing On Petition For Review Dispositions		1
Pending August 31, 1996		<u>0</u>
6. Motions for Rehearing of Writs of Prohibition and Injunction		
a. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	0	
Total on Docket		0

Cases other than Regular Causes

(Continued)

M. Motions (cont.):		
6. Motions for Rehearing of Writs of Prohibition and Injunction (cont.)		
b. Dispositions:		
Overruled	0	
Total Dispositions	0	
Pending August 31, 1996		0
7. Motions for Rehearing on Direct Appeal		
a. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	4	
Total Motions For Rehearing On Direct Appeal On Docket	4	
b. Dispositions:		
Overruled	4	
Total Motions For Rehearing On Direct Appeal Dispositions	4	
Pending August 31, 1996		0
8. Motions for Rehearing on Petitions to Publish Under Rule 90c, T.R.A.P.		
a. On Docket:		
Pending September 1, 1995	0	
Filed During Year Ended August 31, 1996	0	
Total Motions For Rehearing On Petitions to Publish On Docket	0	
b. Dispositions:		
Overruled	0	
Total Motions For Rehearing On Petitions to Publish Dispositions	0	
Pending August 31, 1996		0
9. Miscellaneous Motions		
Passed on by the Court During Year Ended August 31, 1996 (including Rule 130(d), motions to dismiss, etc.)	1,217	
Pending August 31, 1996		65

Opinions Delivered by the Court During the Year Ended August 31, 1996

Deciding opinions	134
Concurring	14
Dissenting	19
Concurring and dissenting	12
Per curiam on applications, motions, etc.	4
Total Opinions Delivered	183