

# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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Misc. Docket No. 20-014

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## FINAL APPROVAL OF AMENDMENTS TO TEXAS RULE OF APPELLATE PROCEDURE 49.3

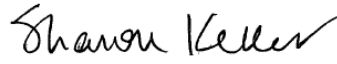
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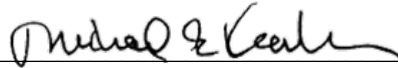
**ORDERED** that:

1. On August 21 and 25, 2020, the Court of Criminal Appeals (Misc. Docket No. 20-013) and the Supreme Court of Texas (Misc. Docket No. 20-9105) preliminarily approved amendments to Texas Rule of Appellate Procedure 49.3 and invited public comment.
2. Following public comment, the Supreme Court and the Court of Criminal Appeals made revisions to the rule. This Order incorporates those revisions and contains the final version of the amended rule, effective January 1, 2021.
3. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. 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*;
  - c. send a copy of this order to each elected member of the Legislature; and
  - d. submit a copy of the order for publication in the *Texas Register*.

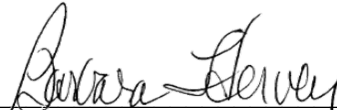
Dated: December 8, 2020.



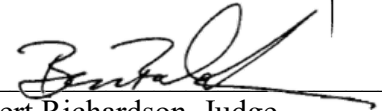
Sharon Keller, Presiding Judge



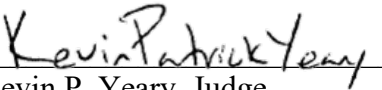
Michael Keasler, Judge



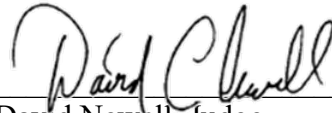
Barbara Hervey, Judge



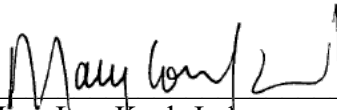
Bert Richardson, Judge



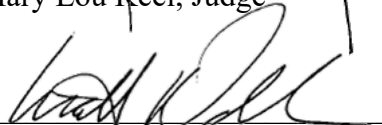
Kevin P. Yeary, Judge



David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Michelle M. Slaughter, Judge

# IN THE SUPREME COURT OF TEXAS

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Misc. Docket No. 20-9141

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## FINAL APPROVAL OF AMENDMENTS TO TEXAS RULE OF APPELLATE PROCEDURE 49.3

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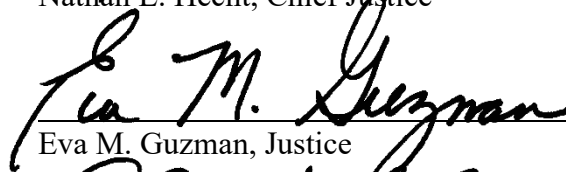
**ORDERED** that:

1. On August 21 and 25, 2020, the Supreme Court of Texas (Misc. Docket No. 20-9105) and the Court of Criminal Appeals (Misc. Docket No. 20-013) preliminarily approved amendments to Texas Rule of Appellate Procedure 49.3 and invited public comment.
2. Following public comment, the Supreme Court and the Court of Criminal Appeals made revisions to the rule. This Order incorporates those revisions and contains the final version of the amended rule, effective January 1, 2021.
3. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. 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*;
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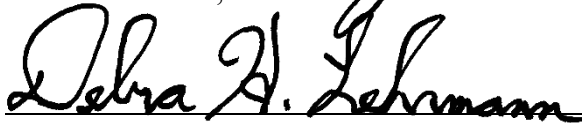
Dated: December 8, 2020.



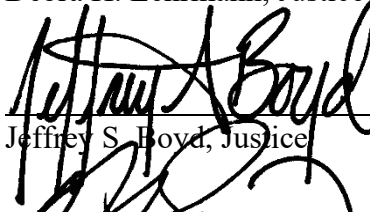
Nathan L. Hecht, Chief Justice



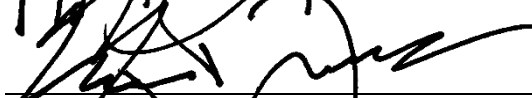
Eva M. Guzman, Justice



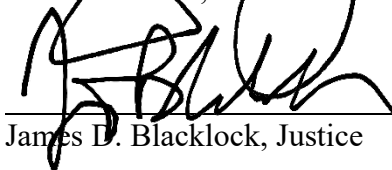
Debra H. Lehrmann, Justice



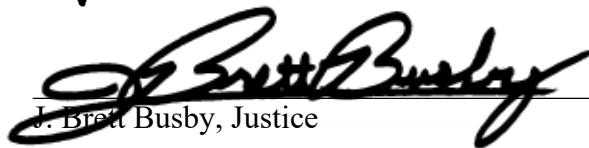
Jeffrey S. Boyd, Justice



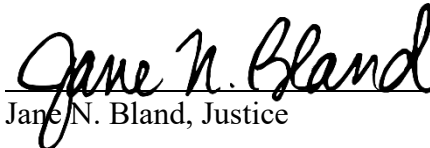
John F. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice

**Rule 49. Motion for Rehearing and En Banc Reconsideration (REDLINE VERSION)**

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**49.3. Decision on Motion**

A motion for rehearing may be granted by a majority of the justices who participated in the decision of the case. ~~Otherwise, it must be denied.~~ Unless two justices who participated in the decision of the case agree on the disposition of the motion for rehearing, the chief justice of the court of appeals must assign a justice to replace any justice who participated in the panel decision but cannot participate in deciding the motion for rehearing. If rehearing is granted, the court or panel may dispose of the case with or without rebriefing and oral argument.

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**Rule 49. Motion for Rehearing and En Banc Reconsideration (CLEAN VERSION)**

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**49.3. Decision on Motion**

A motion for rehearing may be granted by a majority of the justices who participated in the decision of the case. Unless two justices who participated in the decision of the case agree on the disposition of the motion for rehearing, the chief justice of the court of appeals must assign a justice to replace any justice who participated in the panel decision but cannot participate in deciding the motion for rehearing. If rehearing is granted, the court or panel may dispose of the case with or without rebriefing and oral argument.

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