

Court of Criminal Appeals of Texas

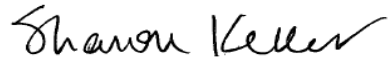
Misc. Docket No. 23-006

Preliminary Approval of Amendments to Texas Rules of Appellate Procedure 9.3 and 9.5

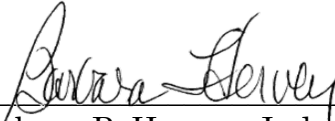
ORDERED that:

1. The Court invites public comments on proposed amendments to Texas Rules of Appellate Procedure 9.3 and 9.5.
2. Comments regarding the proposed amendments should be submitted in writing to the Court of Criminal Appeals by January 1, 2024 at txccarulescomments@txcourts.gov or by mail to the Clerk of the Court of Criminal Appeals at P.O. Box 12308, Austin, Texas 78711.
3. The Court will issue an order finalizing the amendments after the close of the comment period. The Court may change the amendments in response to public comments. The Court expects the final amendments to take effect on February 1, 2024.
4. 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 this Order for publication in the *Texas Register*.

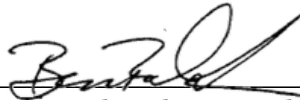
Dated: October 3, 2023.



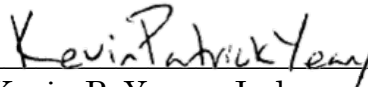
Sharon Keller, Presiding Judge



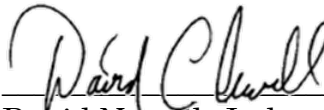
Barbara P. Hervey, Judge



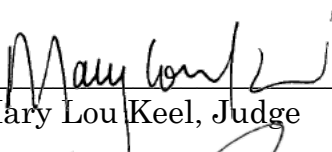
Bert Richardson, Judge



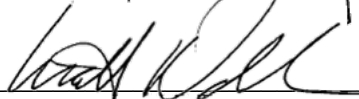
Kevin P. Yeary, Judge



David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Michelle Slaughter, Judge



Jesse F. McClure, Judge

Supreme Court of Texas

Misc. Docket No. 23-9082

Preliminary Approval of Amendments to Texas Rules of Appellate Procedure 9.3, 9.5, 53.2, and 53.3

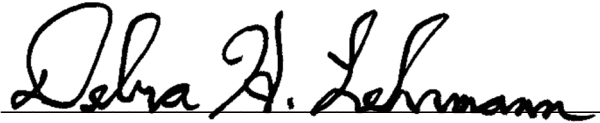
ORDERED that:

1. The Court invites public comments on proposed amendments to Texas Rules of Appellate Procedure 9.3, 9.5, 53.2, and 53.3.
2. Comments regarding the proposed amendments should be submitted in writing to rulescomments@txcourts.gov by January 1, 2024.
3. The Court will issue an order finalizing the amendments after the close of the comment period. The Court may change the rules in response to public comments. The Court expects the amendments to take effect on February 1, 2024.
4. 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 this Order for publication in the *Texas Register*.

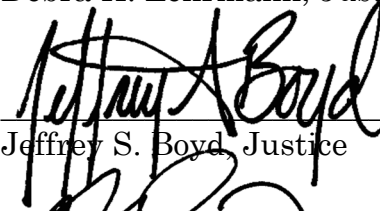
Dated: October 3, 2023.



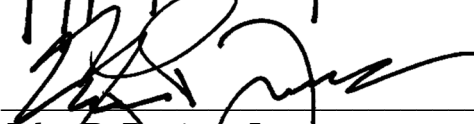
Nathan L. Hecht, Chief Justice



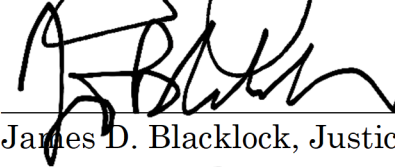
Debra H. Lehrmann, Justice



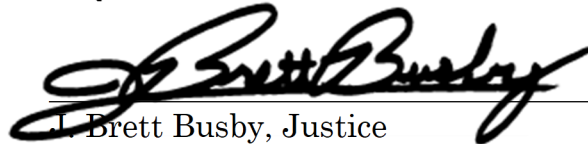
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



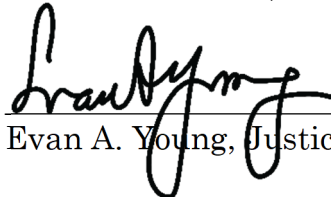
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

TEXAS RULES OF APPELLATE PROCEDURE

Rule 9. Documents Generally

9.3. Number of Copies

~~(a) *Courts of Appeals.*~~

- ~~(1) *Document Filed in Paper Form.* If a document is not electronically filed, a party must file the original and one unbound copy of the document unless otherwise required by local rule. The unbound copy of an appendix must contain a separate page before each document and must not include tabs that extend beyond the edge of the page.~~
- ~~(2) *Electronically Filed Document.* Unless required by local rule, a party need not file a paper copy of an electronically filed document.~~

~~(b) *Supreme Court and Court of Criminal Appeals.*~~

- ~~(1) *Document Filed in Paper Form.* If a document is not electronically filed, a party must file the original and 11 copies of any document addressed to either the Supreme Court or the Court of Criminal Appeals, except that in the Supreme Court only an original and one copy must be filed of any motion, response to the motion, and reply in support of the motion, and in the Court of Criminal Appeals, only the original must be filed of a motion for extension of time or a response to the motion, or a pleading under Code of Criminal Procedure article 11.07.~~
- ~~(2) *Electronically Filed Document.* Paper copies of each document that is electronically filed with the Supreme Court or the Court of Criminal Appeals must be mailed or hand delivered to the Supreme Court or the Court of Criminal Appeals, as appropriate, within three business days after the document is electronically filed. The number of paper copies required shall be determined, respectively, by order of the Supreme Court or the Court of Criminal Appeals.~~

~~(a) *Document Filed in Paper Form.* If a document is not electronically filed, a party must file the original and one unbound copy of the document~~

unless otherwise required by local rule, except that, in the Court of Criminal Appeals, only the original must be filed of a motion for extension of time, a response to the motion, or a pleading under Code of Criminal Procedure article 11.07. The unbound copy of an appendix must contain a separate page before each document and must not include tabs that extend beyond the edge of the page.

(b) Electronically Filed Document. A party need not file a paper copy of an electronically filed document.

(c) *Exception for Record.* Only the original record need be filed in any proceeding.

9.5. Service

(d) *Proof of Service.* A document presented for filing must contain a proof of service in the form of either an acknowledgment of service by the person served or a certificate of service. Proof of service may appear on or be affixed to the filed document. The clerk may permit a document to be filed without proof of service, but will require the proof to be filed promptly.

(e) *Certificate Requirements.* For a document filed electronically in a civil case, an automated certificate of service generated by the filing party's electronic filing service provider suffices. For a document not filed electronically in a civil case or for any document filed in a criminal case, Aa certificate of service must be signed by the person who made the service and must state:

(1) the date and manner of service;

(2) the name and address of each person served; and

(3) if the person served is a party's attorney, the name of the party represented by that attorney.

Rule 53. Petition for Review
