

COURTS OF APPEALS

Analysis of Activity for the Year Ending August 31, 1985

There are 14 Courts of Appeals in Texas which, since September 1, 1981, have heard intermediate appeals in both civil and criminal cases.

Courts of Appeals are located in Fort Worth, Austin, San Antonio, Dallas, Texarkana, Amarillo, El Paso, Beaumont, Waco, Eastland, Tyler, Corpus Christi, and Houston. Houston has two Courts of Appeals. Each court has jurisdiction over a geographical district.

Five of the courts have three justices each. The Dallas Court, with 13 justices, is the largest. There are 80 justices statewide.

Pending Caseloads Reduced Again

For the third consecutive year, the 14 Courts of Appeals reduced their total pending caseloads during state fiscal year 1985, which ended August 31, 1985.

The Courts disposed of 7,981 total cases during the year, an average of 100 dispositions (57 criminal and 43 civil) per justice. These

dispositions reduced the pending caseload from 5,719 at the beginning of the fiscal year to 5,692 at the end of the year.

From calendar year 1974 through 1982, the total pending caseload of the Courts of Appeals grew larger each year as more cases were added than the courts were able to dispose of. On December 31, 1982, there were 6,816 total cases pending in the Courts of Appeals.

The trend was broken in calendar year 1983 when a surge in criminal dispositions reduced the total pending caseload by year's end. In fiscal year 1984, both civil and criminal caseloads were reduced during the year.

The Courts of Appeals had 3,502 criminal cases and 2,217 civil cases pending as of September 1, 1984. On August 31, 1985, 3,512 criminal cases and 2,180 civil cases were pending. The state average for pending cases at year's end was 71 per justice. This compares to the 1982 high of 86 pending cases per justice.

Figure 4.

COURTS OF APPEALS

Cases filed, disposed and pending by court, year ending August 31, 1985

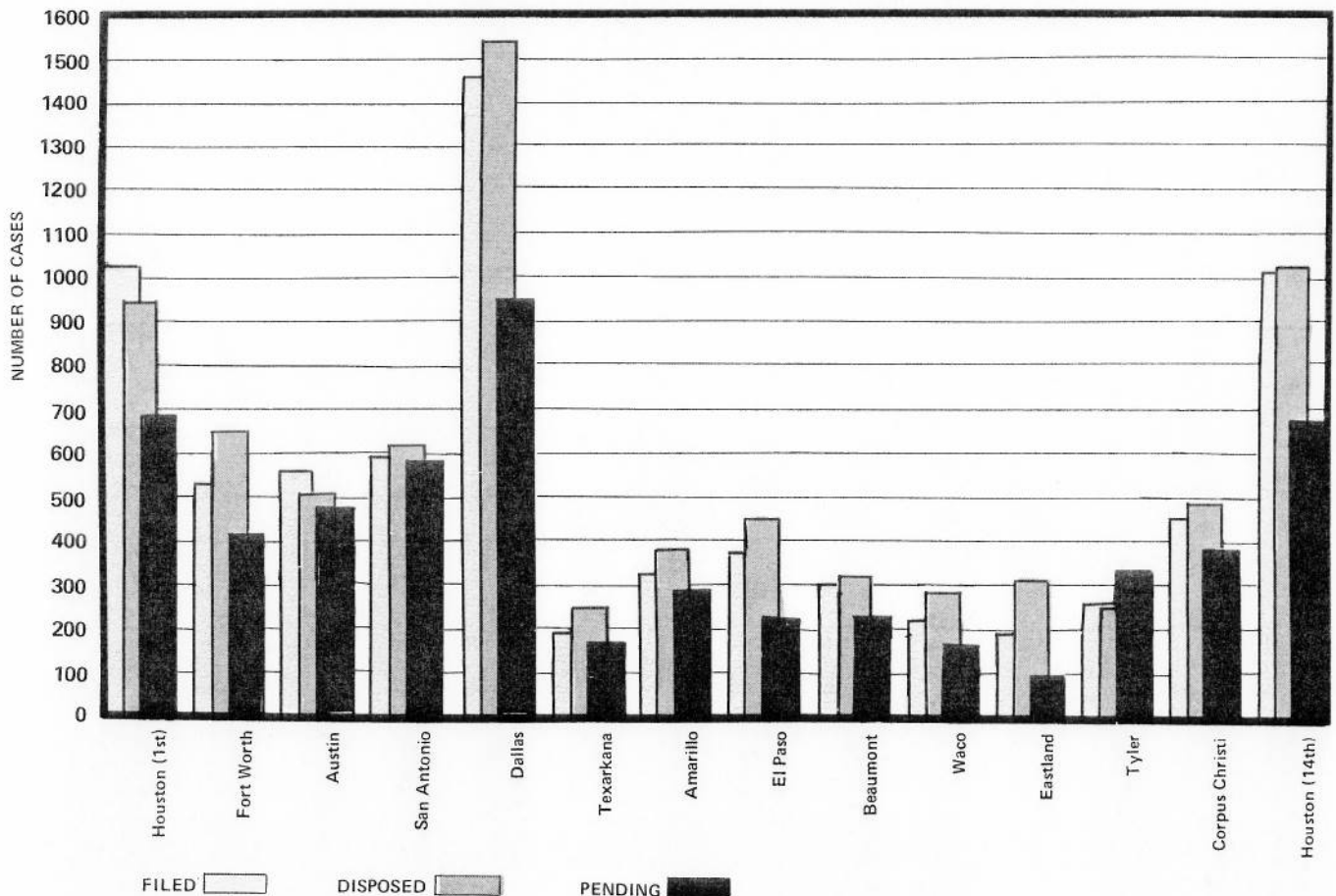
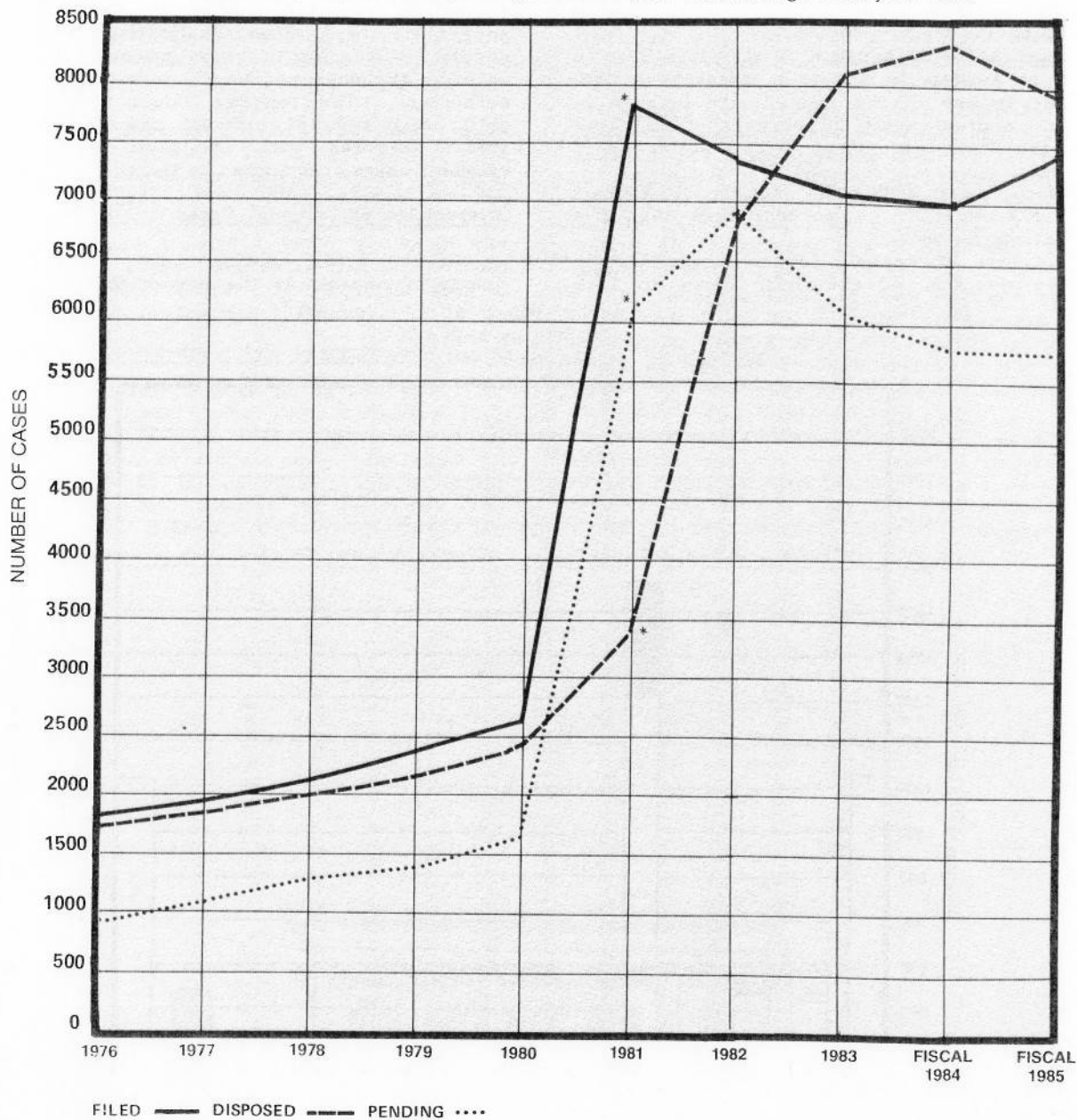


Figure 5.
COURTS OF APPEALS

Cases filed, disposed and pending, calendar year 1976 through fiscal year 1985



* Caseloads increased sharply in 1981 when Courts of Appeals acquired criminal jurisdiction.

Total Filings Rise 7.7 Percent

A total of 7,484 cases were filed in the Courts of Appeals during the fiscal year, which included 4,186 criminal cases and 3,298 civil cases. This was an increase of 7.7 percent from the 6,951 total new cases filed in fiscal year 1984. New criminal cases increased 5 percent from the 3,988 filed in fiscal year 1984 and civil cases increased 11.3 percent from the 2,963 filed in fiscal year 1984.

Considering civil and criminal cases together, the First Court in Houston had the highest average number of new cases filed per justice (114.2) during fiscal year 1985. The other courts ranged down to 64 cases per justice filed in the Sixth Court in Texarkana. State average filings were 93.6 per justice.

The Fifth Court of Appeals in Dallas disposed of the largest number of cases per justice (118.7) during fiscal year 1985. The lowest number per justice (82) was in the Twelfth Court at Tyler.

State average dispositions were 99.8 per justice.

The largest number of pending cases per justice (113) at the end of the fiscal year was in the Twelfth Court of Appeals in Tyler. The lowest number per justice (33) was in the Eleventh Court in Eastland.

Approximately 27 percent of all cases filed in a Court of Appeals in Texas in fiscal year 1985 were filed in one of the two Courts located in Houston. Approximately 20 percent of all cases filed in the State were filed in the Dallas Court of Appeals.

In fiscal year 1985, the Courts of Appeals wrote 7,522 opinions, 4 percent less than the 7,841 written in 1984.

The Courts of Appeals reversed, at least in part, the decision of the trial court in 12.6

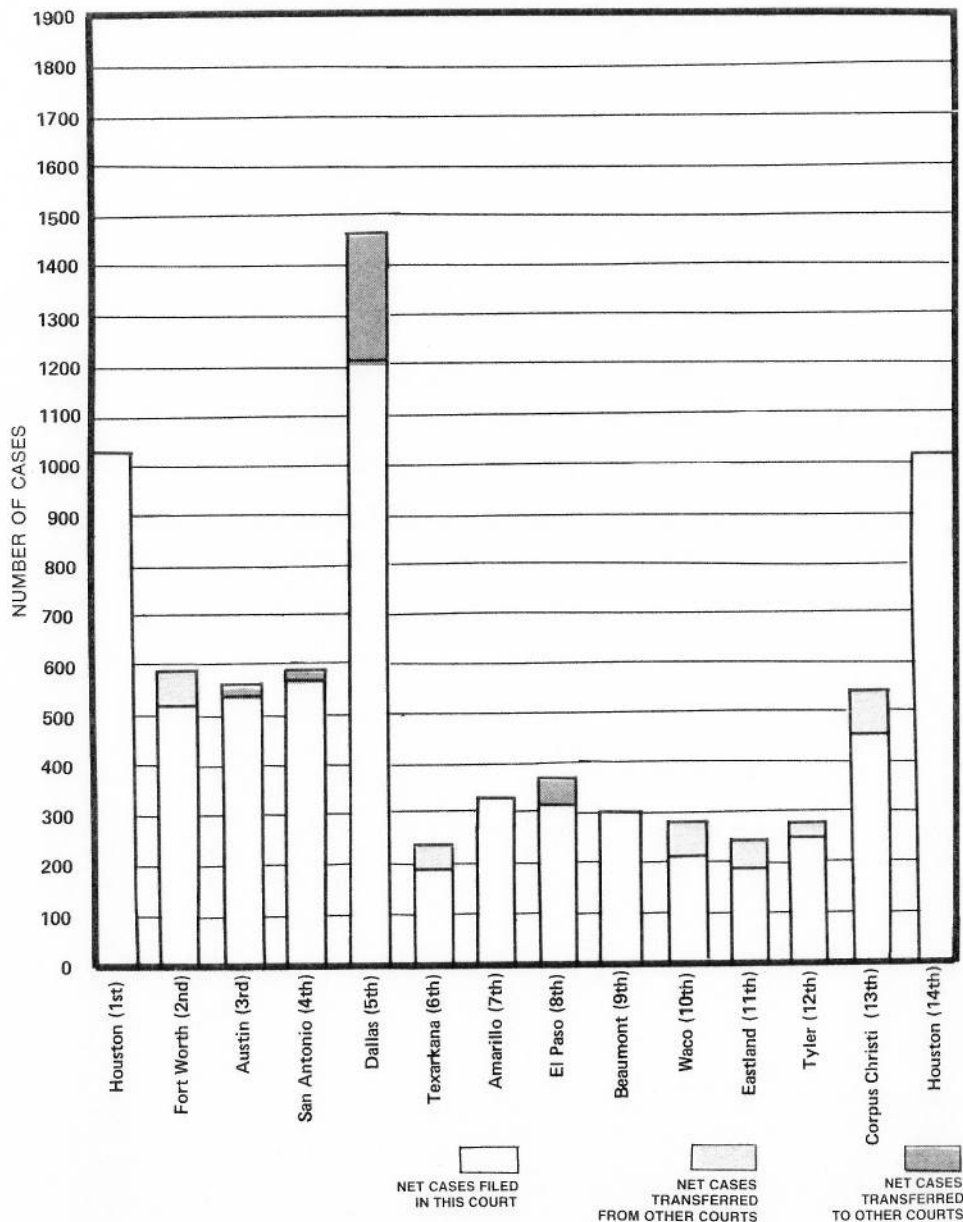
percent of the cases disposed of during fiscal year 1985, compared to 14.4 percent in calendar year 1984.

While the 14 Courts of Appeals operate to a large extent as autonomous courts in specific geographic areas, some equalization of the dockets occurs by transfer of cases among the courts on order of the Supreme Court, pursuant to statutory authority. The Supreme Court transferred 167 civil cases and 187 criminal cases in fiscal year 1985, compared with 151 civil cases and 419 criminal cases transferred in fiscal year 1984.

Disposition of Criminal Cases

Of the 3,512 criminal cases pending in the Courts of Appeals at the end of fiscal year 1985,

Figure 6.
COURTS OF APPEALS
Workloads and cases transferred, year ending August 31, 1985



58 percent had been on the docket less than 6 months, 30 percent from 6 to 12 months, and 12 percent more than 12 months.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 6.3 months in the Eastland Court to 11.9 months in the San Antonio Court. The average lapse of time for cases statewide was 9.2 months.

A case is "submitted" when the court hears oral argument or when it is referred to the justices for formal consideration if no oral argument is heard. The average lapse of time between submission of a criminal appeal and its disposition ranged from 0.2 of a month in the Beaumont Court to 2.7 months in the San Antonio and Corpus Christi Courts. The average lapse of time for cases statewide was 1.2 months.

New Civil Filings Increase 11.3 Percent

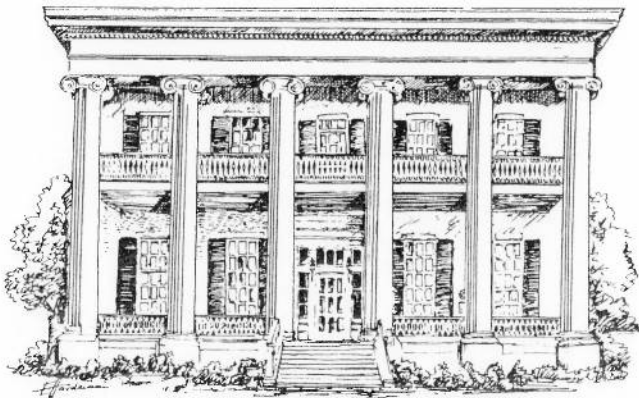
New civil cases filed in all of the Courts of Appeals during fiscal year 1985 increased 11.3 percent from fiscal year 1984. More new civil cases were filed in fiscal year 1985 than in fiscal year 1984 in all but the Corpus Christi, Eastland, and El Paso Courts. Of the courts with increased civil filings, the First Court in Houston experienced the largest percentage in-

crease--33.5 percent (112 cases). The Dallas Court continued to receive more new civil filings than any other court--612 compared to the average of 235.6 per court. The two courts in Houston, each of which has jurisdiction of the same geographical area, received a combined total of 828 civil cases, 27.8 percent more than in fiscal year 1984.

At the end of fiscal year 1985, 2,180 civil cases were pending on the dockets of the Courts of Appeals, 1.7 percent fewer than the 2,217 pending on September 1, 1984. Of those civil cases pending on August 31, 1985, 63.4 percent had been on the docket less than 6 months, 23.2 percent from 6 to 12 months, and 13.4 percent for more than 12 months.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 5.0 months in the First Court of Houston to 11.6 months in the Amarillo Court. The average lapse of time for civil cases statewide was 7.8 months.

The average lapse of time from the submission of a civil case to the court and its disposition ranged from 1.0 month in the Waco and Houston First Courts to 3.8 months in the Corpus Christi Court. The average lapse of time for cases statewide was 2.2 months.



GOVERNOR'S MANSION
AUSTIN, TEXAS

COURTS OF APPEALS

Total of Reported Activity for Year Ending August 31, 1985

CRIMINAL & CIVIL CASES

	TOTALS	AVERAGES PER JUSTICE*
<u>CASES PENDING SEPTEMBER 1, 1984.</u>	5,719	71
<u>CASES ADDED DURING YEAR ENDING AUGUST 31, 1985:</u>		
New Cases Filed	7,484	93
Other Cases Added	470	6
TOTAL CASES ADDED DURING YEAR.	7,954	99
<u>CASES DISPOSED OF DURING YEAR:</u>		
Cases affirmed.	4,317	
Cases modified and/or reformed and affirmed . .	159	
Cases affirmed in part and in part reversed and remanded	69	
Cases affirmed in part and in part reversed and rendered	33	
Cases reversed and remanded	714	
Cases reversed and rendered	186	
Cases dismissed:		
With written opinion	1,003	
Without written opinion.	529	
Cases otherwise disposed:		
With written opinion	546	
Without written opinion.	414	
Cases consolidated into other cases	11	
TOTAL DISPOSITIONS DURING YEAR	7,981	100
<u>CASES PENDING AUGUST 31, 1985:</u>		
Civil cases pending	2,180	27
Criminal cases pending.	3,512	44
TOTAL CASES PENDING	5,692	71
<u>OPINIONS WRITTEN DURING YEAR</u>	7,522	94

* Averages based on 80 justices

COURTS OF APPEALS

Activity for the Year Ending August 31, 1985

	HOUSTON (1ST COURT)		FORT WORTH (2ND COURT)		AUSTIN (3RD COURT)		SAN ANTONIO (4TH COURT)		DALLAS (5TH COURT)				
	CIVIL	CRIM TOTAL	CIVIL	CRIM TOTAL	CIVIL	CRIM TOTAL	CIVIL	CRIM TOTAL	CIVIL	CRIM TOTAL			
Cases pending September 1, 1984	150	368	518	143	299	442	201	226	427	583	391	807	1198
New cases filed during year ending August 31, 1985	446	582	1028	276	248	524	247	305	552	594	612	855	1467
Cases transferred in	0	1	1	19	51	70	0	0	0	0	0	0	0
Cases transferred out	0	0	0	0	0	0	-9	0	-9	-20	-15	-35	-264
Rehearings granted	7	7	14	4	8	12	1	0	1	8	5	13	16
Cases reinstated	5	48	53	13	2	15	2	0	2	1	38	39	11
Cases remanded from higher courts	0	18	18	0	13	13	3	1	4	2	2	4	4
TOTAL CASES ON DOCKET	608	1024	1632	455	621	1076	445	532	977	651	547	1198	2494
Cases affirmed	122	388	510	101	255	356	109	170	279	126	147	273	190
Cases modified and/or reformed and affirmed	9	6	15	5	2	7	11	7	18	8	8	16	13
Cases affirmed in part and in part reversed and remanded	3	1	4	6	0	6	5	0	5	10	1	11	4
Cases affirmed in part and in part reversed and rendered	2	0	2	4	0	4	3	0	3	7	0	7	5
Cases reversed and remanded	42	52	94	37	24	61	31	10	41	41	20	61	72
Cases reversed and rendered	9	0	9	11	3	14	19	0	19	22	0	22	34
Cases dismissed:													
With written opinion	84	49	133	6	45	51	17	44	61	57	35	92	1
Without written opinion	0	0	0	64	24	88	44	0	44	8	4	12	119
Cases otherwise disposed:													
With written opinion	43	47	90	20	12	32	15	12	27	34	33	67	57
Without written opinion	66	16	82	35	4	39	3	0	3	43	6	49	98
Cases consolidated into other cases	0	0	0	0	0	0	1	0	1	3	0	3	3
TOTAL CASES DISPOSED	380	559	939	289	369	658	258	243	501	359	254	613	596
Cases decided:													
Excluding cases without written opinion	314	543	857	190	341	531	210	243	453	305	244	549	376
Excluding dismissals with opinion and cases without written opinion	230	494	724	184	296	480	193	199	392	248	209	457	375
Cases pending August 31, 1985:													
Pending up to 6 months	191	294	485	111	109	220	106	130	256	151	112	263	260
Pending from 6 to 12 months	29	133	162	50	110	160	45	105	150	68	99	167	39
Pending over 12 months	8	38	46	5	33	38	36	54	90	73	82	155	25
TOTAL CASES PENDING AUGUST 31, 1985	228	465	693	166	252	418	187	289	476	292	293	585	324
Average time between date of filing and disposition (months)	5.0	8.8	7.2	5.5	8.2	7.0	8.5	7.3	7.9	10.6	11.9	11.1	8.4
Avg time between date of submission and disposition (months)	1.0	0.8	0.9	1.9	1.8	1.9	2.6	1.8	2.3	3.3	2.7	3.1	2.0

COURTS OF APPEALS

Activity for the Year Ending August 31, 1985 (Continued)

	TEXARKANA (6TH COURT)		AMARILLO (7TH COURT)		EL PASO (8TH COURT)		BEAUMONT (9TH COURT)		WACO (10TH COURT)						
	CIVIL	CRIM. TOTAL	CIVIL	CRIM. TOTAL	CIVIL	CRIM. TOTAL	CIVIL	CRIM. TOTAL	CIVIL	CRIM. TOTAL					
Cases pending September 1, 1984	69	101	170	136	146	282	131	217	348	102	138	240	46	98	144
New cases filed during year ending August 31, 1985	86	106	192	142	195	337	132	235	367	138	162	300	88	127	215
Cases transferred in	21	28	49	0	0	0	0	0	0	0	0	0	0	0	0
Cases transferred out	0	0	0	0	0	0	-24	-20	-44	0	0	0	0	0	0
Rehearings granted	1	0	1	3	0	3	1	4	5	0	3	3	3	5	1
Cases reinstated	1	2	3	3	13	16	1	0	1	0	2	2	0	0	0
Cases remanded from higher courts	0	1	1	1	4	5	0	4	4	0	7	7	0	2	2
TOTAL CASES ON DOCKET	178	238	416	285	358	643	241	440	681	240	312	552	175	262	437
Cases affirmed	39	95	134	69	112	181	74	168	242	39	137	176	55	108	163
Cases modified and/or reformed and affirmed	10	1	11	1	0	1	4	4	8	5	1	6	8	3	11
Cases affirmed in part and in part reversed and remanded	1	0	1	2	0	2	3	0	3	1	1	2	2	0	2
Cases affirmed in part and in part reversed and rendered	0	0	0	0	0	0	1	0	1	0	1	1	1	0	1
Cases reversed and remanded	18	4	22	24	9	33	28	20	48	7	16	23	17	6	23
Cases reversed and rendered	2	0	2	9	0	9	8	5	13	4	1	5	5	6	11
Cases dismissed:															
With written opinion	28	38	66	38	53	91	8	3	11	8	32	40	27	26	53
Without written opinion	1	0	1	1	2	3	36	67	103	40	5	45	1	0	1
Cases otherwise disposed:															
With written opinion	11	2	13	18	28	46	15	5	20	6	1	7	0	1	1
Without written opinion	0	0	0	3	1	4	1	0	1	7	3	10	5	0	5
Cases consolidated into other cases	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
TOTAL CASES DISPOSED	110	140	250	165	206	371	178	272	450	117	198	315	121	150	271
Cases decided:															
Excluding cases without written opinion	109	140	249	161	202	363	141	205	346	70	190	260	115	150	265
Excluding dismissals with opinion and cases without written opinion	81	102	183	123	149	272	133	202	355	62	158	220	88	124	212
Cases pending August 31, 1985:															
Pending up to 6 months	34	55	89	52	93	145	48	98	146	46	73	119	30	62	92
Pending from 6 to 12 months	23	36	59	52	43	95	12	53	65	46	37	83	24	48	72
Pending over 12 months	11	7	18	16	16	32	3	17	20	31	4	35	0	2	2
TOTAL CASES PENDING AUGUST 31, 1985	68	98	166	120	152	272	63	168	231	123	114	237	54	112	166
Average time between date of filing and disposition (months)	7.4	9.1	8.3	11.6	9.1	10.2	8.5	9.3	8.9	10.5	8.3	9.1	5.3	8.6	7.2
Avg time between date of submission and disposition (months)	3.1	1.3	2.1	2.1	1.0	1.5	2.4	1.1	1.6	1.8	0.2	0.8	1.0	1.5	1.3

COURTS OF APPEALS

Activity for the Year Ending August 31, 1985 (Continued)

	EASTLAND (11TH COURT)		TYLER (12TH COURT)		CORPUS CHRISTI (13TH COURT)		HOUSTON (14TH COURT)		GRAND TOTALS						
	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM					
Cases pending September 1, 1984	60	93	154	138	292	132	175	307	180	435	615	2217	3502	5719	
New cases filed during year ending August 31, 1985	68	125	193	133	116	249	210	246	456	382	628	1010	3298	4186	7484
Cases transferred in	24	20	44	13	22	35	54	30	84	0	0	0	167	186	353
Cases transferred out	0	0	0	0	0	0	0	0	0	0	-1	-1	-167	-186	-353
Rehearings granted	4	5	9	1	1	2	5	3	8	1	12	13	57	57	114
Cases reinstated	1	5	6	5	1	6	0	9	9	3	47	50	46	176	222
Cases remanded from higher courts	0	5	5	0	1	1	3	11	14	2	5	7	15	119	134
TOTAL CASES ON DOCKET	157	253	410	306	279	585	404	474	878	568	1126	1694	5633	8040	13673
Cases affirmed	60	121	181	34	54	88	84	152	236	133	428	561	1235	3082	4317
Cases modified and/or affirmed	2	1	3	5	0	5	7	16	23	5	9	14	93	66	159
Cases affirmed in part and in part reversed and remanded	2	0	2	6	0	6	5	2	7	11	2	13	61	8	69
Cases affirmed in part and in part reversed and remanded	2	0	2	2	0	2	1	0	1	4	0	4	32	1	33
Cases reversed and remanded	16	18	34	23	10	33	38	10	48	49	31	80	443	271	714
Cases reversed and remanded	9	1	10	6	0	6	13	0	13	17	1	18	168	18	186
Cases dismissed:															
With written opinion	19	13	32	46	33	79	49	59	108	98	87	185	486	517	1003
Without written opinion	13	12	25	2	0	2	0	0	0	0	0	0	329	200	529
Cases otherwise disposed:															
With written opinion	6	9	15	15	6	21	11	17	28	27	71	98	278	268	546
Without written opinion	2	4	6	1	2	3	22	6	28	34	13	47	320	94	414
Cases consolidated into other cases	0	1	1	1	0	1	0	1	1	0	0	0	8	3	11
TOTAL CASES DISPOSED	131	180	311	141	105	246	230	263	493	378	642	1020	3453	4528	7981
Cases decided:															
Excluding cases without written opinion	116	163	279	137	103	240	208	256	464	344	629	973	2796	4231	7027
Excluding dismissals with opinion and cases without written opinion	97	150	247	91	70	161	159	197	356	246	542	788	2310	3714	6024
Cases pending August 31, 1985															
Pending up to 6 months	18	52	70	57	64	121	124	132	256	154	291	445	1382	2055	3437
Pending from 6 to 12 months	2	20	22	42	50	92	42	70	112	32	150	182	506	1043	1549
Pending over 12 months	6	1	7	66	60	126	8	9	17	4	43	47	292	414	706
TOTAL CASES PENDING AUGUST 31, 1985	26	73	99	165	174	339	174	211	385	190	484	674	2180	3512	5692
Average time between date of filing and disposition (months)	5.2	6.3	5.8	11.1	10.8	10.9	7.4	7.8	7.6	5.9	9.3	8.0	7.8	9.2	8.6
Avg time between date of submission and disposition (months)	1.1	0.6	0.8	2.7	1.4	2.1	3.8	2.7	3.3	1.7	0.8	1.1	2.2	1.2	1.6

COURTS OF APPEALS

Activity for the Year Ending August 31, 1985 (Continued)

CASES IN WHICH OPINIONS WERE WRITTEN BY JUSTICES OF THE COURTS OF APPEALS

COURT AND JUSTICES	Original Opinions On Merits	Concurring Opinions	Dissenting Opinions	Opinions Refusing Rehearing	*Opinions Granting Rehearing	Opinions Dismissing Appeal	Other Opinions	Per Curiam Opinions	TOTAL PER JUSTICE	TOTAL COURT
FIRST, HOUSTON										
Frank G. Evans	73	0	1	1	2	3	0	0	34	114
James F. Merrin	59	0	0	2	2	0	0	0	23	86
Henry E. Doyle	23	0	1	2	0	1	0	0	13	40
Jackson B. (Jack) Smith	60	3	3	0	0	0	0	0	30	96
Sam Bass	71	0	0	0	0	2	0	0	36	110
2 Lee Duggan, Jr.	75	1	0	1	0	0	0	0	20	97
Freeman Bullock	17	0	0	0	0	0	0	0	8	25
Murray B. Cohen	64	3	3	0	2	1	0	0	27	96
Ben G. Levy	68	2	6	3	2	1	0	0	20	101
3 Ken Hoyt	32	0	3	0	0	0	0	0	14	49
4 O. Camille Dunn	41	1	1	0	0	0	0	0	13	56
Assigned Justices	11	0	0	0	0	1	0	0	0	12
SECOND, FORT WORTH										
Howard M. Fender	83	3	1	0	0	1	0	0	14	102
W. A. Hughes, Jr.	17	0	4	0	2	0	0	0	5	28
Walter E. Jordan	44	1	4	0	0	0	0	0	9	58
Clyde R. Ashworth	50	2	10	0	1	1	0	0	17	82
William E. Burdick	87	2	3	0	2	2	0	0	11	106
John Sparlock II	57	0	4	0	0	0	0	0	11	74
6 Gordon Gray	62	2	3	0	0	3	0	0	12	82
7 Harry Hopkins	7	1	0	0	0	0	0	0	3	11
4 Assigned Justices	17	0	1	0	0	0	0	0	3	21
THIRD, AUSTIN										
John C. Phillips	11	0	0	0	0	0	0	0	16	27
Bob Shannon	45	0	1	0	0	2	0	0	33	82
John Powers	44	0	1	0	0	0	0	0	36	81
Earl W. Smith	46	0	1	3	0	0	0	0	33	84
Jim Brady	36	0	5	0	0	0	0	0	36	77
9 Robert A. (Bob) Semmige	46	1	0	0	1	0	0	0	19	65
4 James L. Carroll	23	0	0	0	0	0	0	0	42	65
Assigned Justices	8	0	0	0	0	0	0	0	0	6
FOURTH, SAN ANTONIO										
Carlos C. Oadena	22	13	4	3	3	0	2	0	35	82
Rudy Esquivel	56	4	0	1	1	0	0	0	20	72
Shirley R. Butts	68	1	6	0	0	0	0	0	22	96
Antonio C. Cantu	46	7	9	0	0	0	0	0	30	96
Blair Reers	54	3	4	0	0	0	0	0	51	113
Pete Tiegler	49	1	13	0	1	0	0	0	30	94
Preston H. Diehl, Jr.	56	2	3	0	1	2	1	0	24	89
Assigned Justices	21	0	1	0	1	0	0	2	25	667
FIFTH, DALLAS										
Clarence A. Gulttard	29	0	0	1	1	0	3	0	8	42
Ted M. Akin	70	0	5	0	0	0	0	0	26	103
10 Spencer Carver	81	0	8	0	0	0	0	0	26	115
11 Charles H. Storey	14	0	0	0	0	0	0	0	2	18
Bill J. Stephens	83	4	6	1	1	0	0	0	38	113
Jon Sparling	72	2	4	0	0	0	0	0	27	116
John C. Vance	85	1	3	0	4	0	0	0	27	120
James K. Allen	72	0	0	0	0	0	0	0	20	92
Warren Whitman	69	6	11	0	0	0	0	0	28	116
12 Gerrick C. Gulliford	67	0	6	0	3	0	0	0	25	106
13 Gordon H. Rowe, Jr.	18	0	0	0	0	0	0	0	5	24
Annette Stewart	12	0	0	0	0	0	0	0	3	19
3 Floyd A. Shumbert	17	0	0	0	0	0	0	0	2	20
14 Bob McInerney	25	0	1	0	0	0	0	0	7	32
3 Charles E. Deveny	47	0	1	1	0	0	0	0	31	80
3 Charles E. Powell	18	4	8	0	0	0	0	0	20	52
3 Pat McClung	18	0	0	0	0	0	0	0	7	42
4 Assigned Justices	67	0	0	2	1	0	0	0	5	75

1,281

SIXTH, TEXARKANA

58 William J. Cornelius 1 0 2 1 3 42 109
 7 Bun L. Hutchinson 0 0 0 0 0 29 38
 65 Charles Blell 0 0 0 0 0 28 102
 4 Assigned Justices 0 0 0 0 0 14 14

SEVENTH, AMARILLO

65 Charles L. Reynolds 1 1 5 0 7 53 134
 42 Carlton B. Dodson 0 0 0 0 4 25 73
 36 Richard N. Courtiss 0 0 2 0 10 32 102
 84 John T. Boyd 0 0 2 0 4 23 95
 4 Assigned Justices 0 0 0 0 0 0 2

EIGHTH, EL PASO

67 Stephen F. Preslar 0 0 0 0 0 6 78
 79 William E. Ward 1 0 0 0 3 8 90
 95 Max N. Osborn 0 1 0 0 0 8 106
 68 Charles R. Schulte 0 0 0 0 2 8 79

NINTH, BEAUMONT

55 Martin Dias, Jr. 1 1 0 1 1 36 96
 53 Jack Brookshire 0 0 2 0 1 17 76
 16 James D. McNicholas 0 0 0 0 0 2 18
 4 Don Burgess 4 5 0 0 1 35 96

TENTH, WACO

82 Frank G. McDonald 0 0 1 1 16 101
 56 Vic Hall 1 0 0 0 16 76
 55 Bob L. Thomas 0 2 0 4 17 81
 4 Assigned Justices 0 0 0 0 0 0 11

ELEVENTH, EASTLAND

70 Austin McCloud 0 0 0 0 3 6 79
 92 Raleigh Brown 1 1 4 4 16 123
 63 Bob Dickenson 0 0 1 3 5 15 90

TWELFTH, TYLER

30 J. W. Summers 0 0 0 0 0 41 71
 27 Connaally McKay 0 0 0 0 1 36 65
 48 Paul S. Colley 0 0 5 0 3 40 96
 5 18 J. W. (Bill) Bass, Jr. 0 0 0 0 0 9 14

THIRTEENTH, CORPUS CHRISTI

52 Paul W. Nye 4 0 2 2 2 22 84
 5 Horace S. Young 0 0 0 0 0 33 38
 65 Norman L. Utter 0 0 1 1 1 22 91
 59 Noah Kennedy 0 3 3 0 0 22 89
 4 Rauli A. Gonzalez 0 0 0 0 0 7 7
 53 Robert J. Searden 0 0 0 0 1 20 75
 2 Fortunato P. (Pete) Benavides 34 1 1 2 2 15 53
 10 J. Bonner Dorsey 0 0 0 0 0 9 19
 4 Assigned Justices 19 0 0 0 1 0 21

FOURTEENTH, HOUSTON

49 J. Curtiss Brown 2 0 0 0 1 59 113
 49 Paul Prosser 1 0 1 0 1 48 100
 50 William E. Junell 0 2 0 0 3 102 47
 48 Paul C. Murphy 1 2 3 0 3 58 115
 52 Sam Robertson 0 1 2 0 5 43 102
 62 Ross A. Sears 3 4 6 1 5 53 134
 48 Bill Cannon 0 0 0 0 2 46 97
 56 Joe L. Draughn 0 0 2 0 3 58 119
 52 George T. Ellis 1 6 0 0 5 48 112
 29 Assigned Justices 0 1 1 0 0 0 30

TOTALS

4,721 93 197 72 69 158 2,176 7,522 477

* Ordinarily comparable to an original opinion on the merits.
 1. Retired eff. 1-85.
 2. Left office eff. 1-85.
 3. Elected eff. 1-85.
 4. Retired appellate judges appointed by the Chief Justice of the Supreme Court.
 5. Retired eff. 12-31-84, wrote additional opinions as an assigned judge after 12-31-84.
 6. Retired eff. 1-85; resigned eff. 3-4-85.

7. Appointed eff. 3-21-85.
 8. Justice until 1-1-85; elected chief justice eff. 1-1-85.
 9. Appointed eff. 1-1-85.
 10. Retired eff. 8-85.
 11. Left office eff. 12-31-84, wrote additional opinions as an assigned judge after 12-31-84.
 12. Resigned eff. 11-84; appointed immediately to fill a vacancy; left second office eff. 1-85.
 13. Left office eff. 11-84; appointed immediately to fill a vacancy; left second office eff. 1-85.

14. Elected to fill unexpired term eff. 11-84.
 15. Resigned eff. 8-85.
 16. Left office eff. 11-84.
 17. Resigned eff. 6-85.
 18. Appointed eff. 7-1-85.
 19. Died 1-6-85.
 20. Resigned to accept appointment to Supreme Ct. eff. 10-4-84.
 21. Appointed eff. 11-19-84.
 22. Appointed eff. 2-7-85.

COURTS OF APPEALS

Activity for the Year Ending August 31, 1985 (Continued)

COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1985

<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Cases</u>
Harris	1,747	Pecos	15	Lampasas	7	Robertson	3
Dallas	1,360	Guadalupe	14	Morris	7	Runnels	3
Bexar	405	Hays	14	Waller	7	Titus	3
Tarrant	343	Lee	14	Ward	7	Trinity	3
Travis	320	Williamson	14	Washington	7	Tyler	3
El Paso	225	Aransas	13	Atascosa	6	Upton	3
Jefferson	157	Erath	13	Burnet	6	Uvalde	3
Nueces	147	Ochiltree	13	Colorado	6	Austin	2
Cameron	99	Rusk	13	Dewitt	6	Baylor	2
Galveston	97	Henderson	12	Grimes	6	Blanco	2
Lubbock	85	Liberty	12	Howard	6	Brewster	2
Bell	80	Milam	12	Kendall	6	Callahan	2
Potter	71	Bastrop	11	Limestone	6	Dickens	2
Smith	70	Ellis	11	Newton	6	Donley	2
Denton	68	Hardin	11	Red River	6	Garza	2
Brazos	64	Navarro	11	Starr	6	Hall	2
Brazoria	63	Palo Pinto	11	Stephens	6	Hudspeth	2
McLennan	63	Polk	11	Wharton	6	Jones	2
Collin	62	Val Verde	11	Wood	6	Karnes	2
Taylor	59	Burleson	10	Calhoun	5	Kenedy	2
Gregg	50	Chambers	10	Cherokee	5	Llano	2
Fort Bend	49	Comal	10	Comanche	5	McCulloch	2
Hidalgo	49	Jackson	10	Gillespie	5	Mills	2
Midland	46	Kaufman	10	Goliad	5	Mitchell	2
Anderson	42	Kerr	10	Jim Hogg	5	Parmer	2
Ector	40	Panola	10	Rockwall	5	Real	2
Montgomery	40	Scurry	10	Wilbarger	5	Refugio	2
Bowie	39	Van Zandt	10	Willacy	5	Sabine	2
Hale	39	Wise	10	Andrews	4	Sutton	2
Lamar	39	Clay	9	Archer	4	Wheeler	2
Webb	39	Cooke	9	Bandera	4	Wilson	2
Victoria	37	Hockley	9	Brooks	4	Winkler	2
Wichita	33	Jim Wells	9	Dawson	4	Yoakum	2
San Patricio	32	Moore	9	Falls	4	Zapata	2
Grayson	30	Somervell	9	Leon	4	Zavala	2
Tom Green	25	Terry	9	Live Oak	4	Armstrong	1
Hood	24	Bosque	8	Madison	4	Carson	1
Hunt	23	Cass	8	Nolan	4	Cochran	1
Nacogdoches	23	Coryell	8	San Jacinto	4	Coleman	1
Brown	22	Deaf Smith	8	Swisher	4	Cottle	1
Caldwell	22	Dimmit	8	Camp	3	Crosby	1
Parker	22	Duval	8	Childress	3	Dallam	1
Harrison	21	Eastland	8	Collingsworth	3	Fisher	1
Walker	21	Fannin	8	Culberson	3	Floyd	1
Bee	20	Gaines	8	Edwards	3	Franklin	1
Hopkins	20	Gonzales	8	Frio	3	Hansford	1
Johnson	20	Jack	8	Hamilton	3	Hartley	1
Orange	19	Medina	8	Hardeman	3	Lynn	1
Young	19	Shelby	8	Hill	3	Marion	1
Angelina	18	Upshur	8	Kimble	3	Menard	1
Matagorda	18	Fayette	7	Lamb	3	Reeves	1
Freestone	16	Houston	7	Lavaca	3	San Augustine	1
Gray	16	Hutchinson	7	Lipscomb	3	Shackelford	1
Maverick	16	Jasper	7	Montague	3	Sherman	1
Randall	16	Kleberg	7	Rains	3	Throckmorton	1