

COURTS OF APPEALS

Analysis of Activity for the Year Ending August 31, 1990

There are 14 Courts of Appeals in Texas which, since September 1, 1981, have heard intermediate appeals in 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.

The number of justices for each court ranges from 3 each in five courts to 13 in Dallas, which is the largest. There are 80 justices statewide.

PENDING CASELOADS INCREASED AGAIN

For the fourth consecutive year, total pending caseloads of the 14 Courts of Appeals increased during the State fiscal year which ended August 31.

The pending caseload increased from 6,198 at the beginning of the fiscal year 1990 to 6,393 at the end of the fiscal year.

From calendar year 1974 through 1982, the total pending caseload of the Courts of Appeals grew larger each year as more cases than the courts were

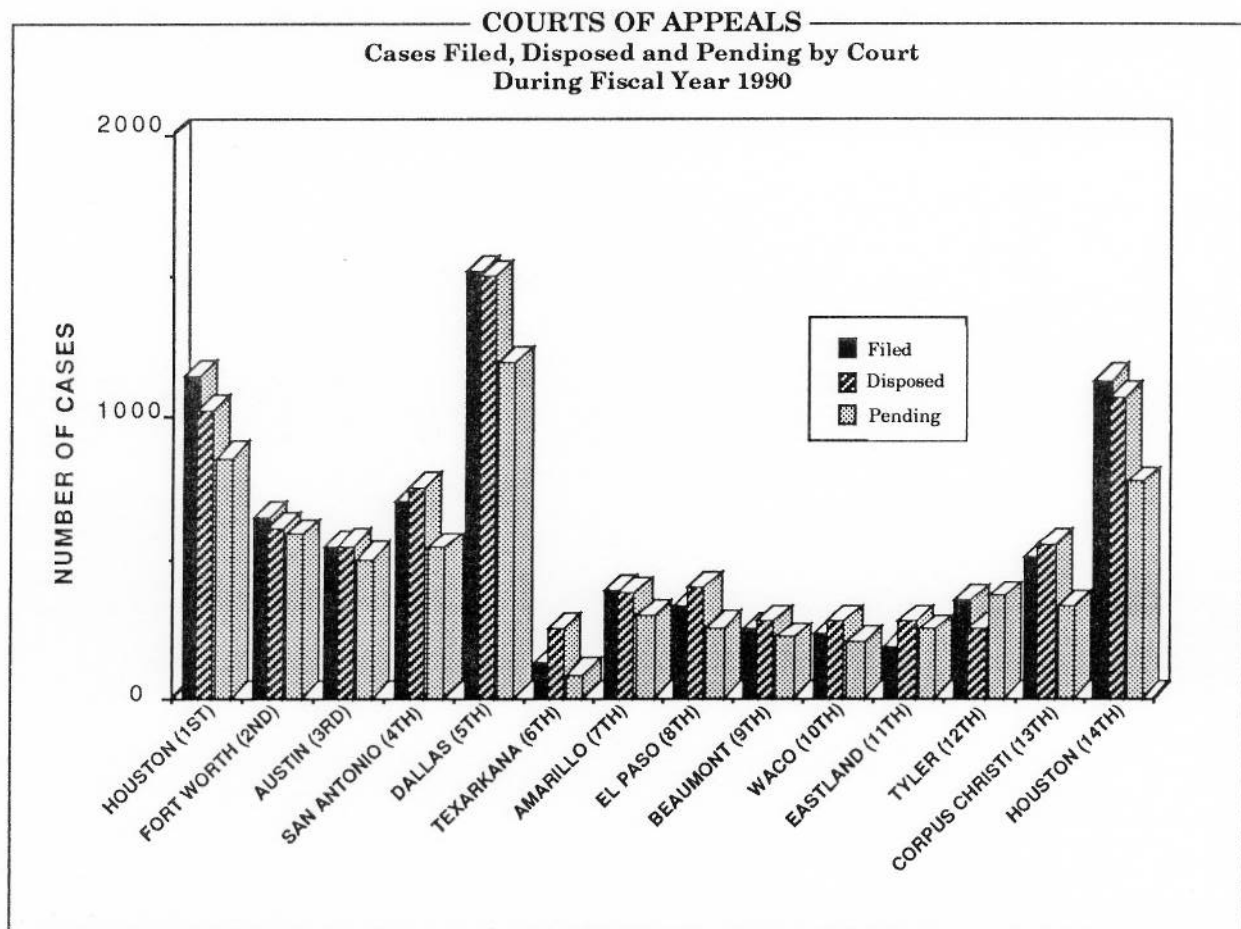
able to dispose of were added. On December 31, 1982, there were 6,816 total cases pending in the Courts of Appeals.

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, civil and criminal caseloads were reduced during the year.

In fiscal year 1985, the civil caseload was reduced and the criminal caseload increased slightly. In fiscal year 1986, pending civil and criminal caseloads were again reduced.

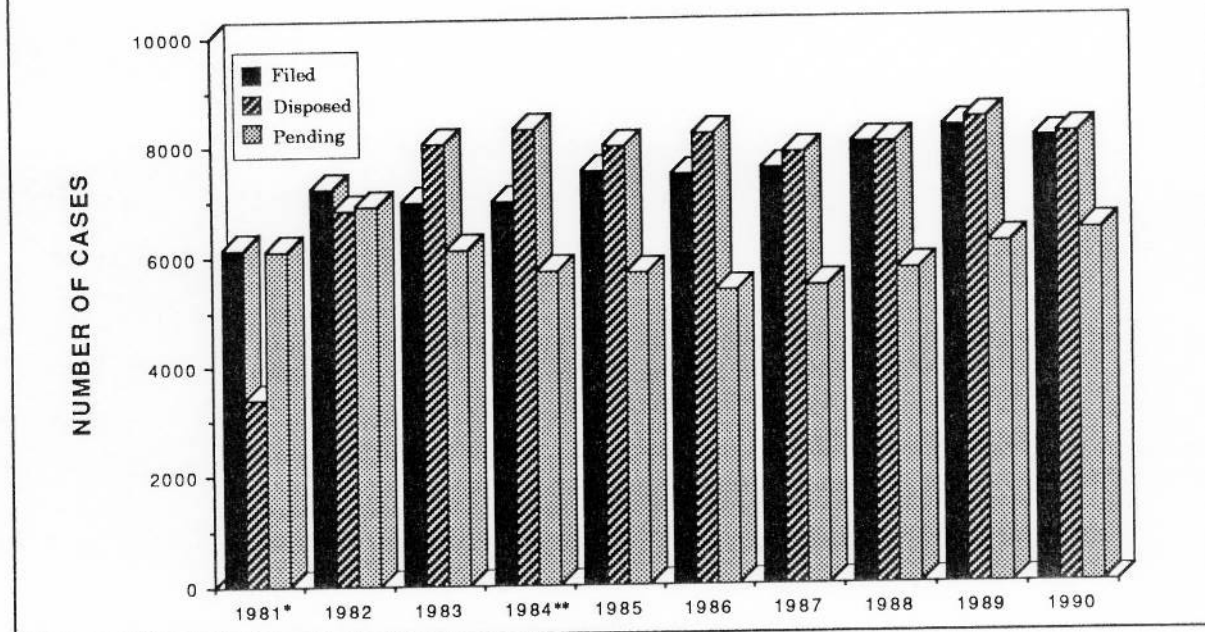
The Courts of Appeals had 3,720 criminal cases and 2,478 civil cases pending as of September 1, 1989. On August 31, 1990, 3,848 criminal cases and 2,545 civil cases were pending. The State average for pending cases at year's end was 80 per justice. This compares to the 1982 high of 86 pending cases per justice.

Of the 3,848 criminal cases pending in the Courts of Appeals at the end of fiscal year 1990, 51 percent had been on the docket less than 6 months, 33 percent from 6 to 12 months, and 16 percent more than 12 months.



COURTS OF APPEALS

Cases Filed, Disposed and Pending, Calendar Year 1981 Through Fiscal Year 1990



*Courts of Appeals acquired intermediate appellate criminal jurisdiction in 1981.

**1984 and after are based on state fiscal years; prior years are calendar years.

At the end of fiscal year 1990, 2,545 civil cases were pending on the dockets of the Courts of Appeals, 3.5 percent more than the 2,459 pending on September 1, 1989. Of those civil cases pending on August 31, 1990, 55 percent had been on the docket less than 6 months, 30 percent from 6 to 12 months, and 15 percent for more than 12 months.

The largest number of pending cases per justice (119) at the end of the fiscal year was in the Twelfth Court of Appeals in Tyler. The lowest number per justice (27) was in the Sixth Court of Appeals in Texarkana.

CASE FILINGS

A total of 8,062 cases was filed in the Courts of Appeals during the fiscal year, which included 4,080 criminal cases and 3,982 civil cases. This was an decrease of 2.7 percent from the 8,281 total new cases filed in fiscal year 1989. New criminal cases decreased 7.4 percent from the 4,403 filed in fiscal year 1989 and civil cases increased 2.7 percent from the 3,878 filed in fiscal year 1989.

Considering civil and criminal cases together, the First Court of Appeals in Houston had the highest average number of new cases filed per justice (127) during fiscal year 1990. The other courts ranged down to 42 cases per justice filed in the Sixth Court of Appeals in Texarkana. State average filings were 101 per justice.

Approximately 28 percent of all new cases filed in a Court of Appeals in Texas in fiscal year 1990 were filed in one of the two Courts located in Houston.

Approximately 19 percent of all cases filed in the State were filed in the Fifth Court of Appeals in Dallas.

DISPOSITIONS

The Court disposed of 8,134 total cases during the year, an average of 102 dispositions (51 criminal and 51 civil) per justice.

The Fourteenth Court of Appeals in Houston disposed of the largest total number of cases per justice (119) during fiscal year 1990. The lowest number per justice (81) was in the Twelfth Court of Appeals in Tyler. State average dispositions were 102 per justice.

CRIMINAL DISPOSITIONS

Criminal dispositions increased 11.7 percent from 4,627 dispositions in fiscal year 1989 to 4,087 dispositions in fiscal year 1990.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 7.4 months in the Seventh Court of Appeals in Amarillo to 12.6 months in the Second Court of Appeals in Fort Worth. The average lapse of time for the 14 courts was 10 months.

The average lapse of time between submission of a criminal appeal and its disposition ranged from 0.6 of a month in the Seventh Court of Appeals in Amarillo to 4 months in the Second Court of Appeals in Fort Worth. The average lapse of time for the courts was 1.8 months.

CIVIL DISPOSITIONS

In fiscal year 1990, there were 4,047 civil dispositions by the Courts of Appeal, an increase of 6.9 percent over the 3,789 civil dispositions in fiscal year 1989.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 5.7 months in the Eighth Court of Appeals in El Paso to 10.9 months in the Ninth Court of Appeals in Beaumont. The average lapse of time in the 14 courts for civil cases was 7.7 months.

The average lapse of time from the submission of a civil case to the court and its disposition ranged from 0.8 months in the Eighth Court of Appeals in El Paso to 3.8 months in the Third Court of Appeals in Austin. The average lapse of time for the 14 courts was 2.1 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.

OPINIONS WRITTEN

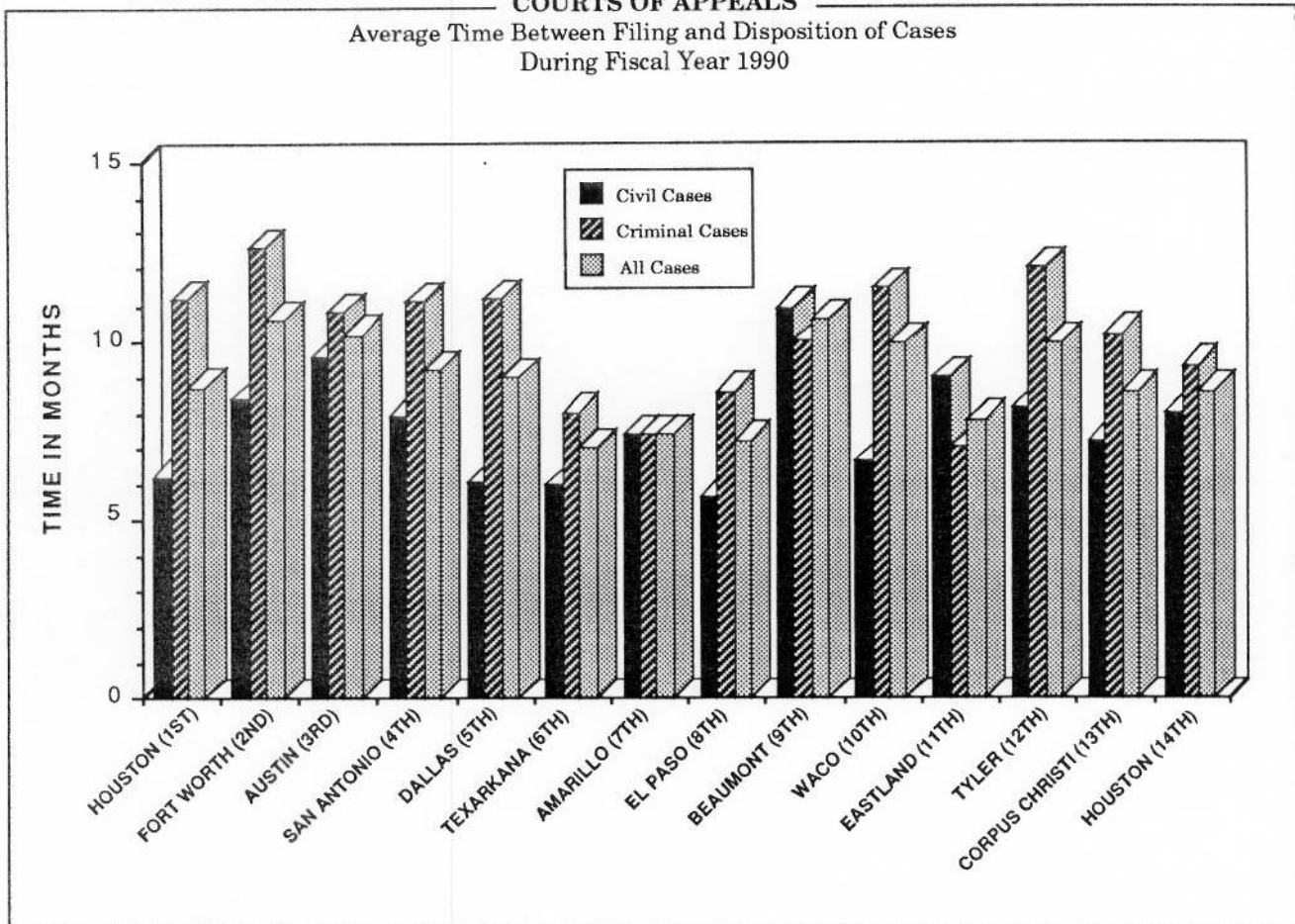
In fiscal year 1990, the justices of the Courts of Appeals wrote 7,511 opinions, 6.1 percent less than the 7,993 written in 1989.

The Courts of Appeals reversed, at least in part, the decision of the trial court in 13.4 percent of the cases disposed of during fiscal year 1990, a 0.5 percent decrease from fiscal year 1989.

CASES TRANSFERRED

While the 14 Courts of Appeals operate to a large extent as autonomous courts in specific geographic districts, 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 a total of 27 civil cases and 130 criminal cases among the courts in fiscal year 1990, compared with 188 civil cases and 276 criminal cases transferred in fiscal year 1989.

COURTS OF APPEALS
Average Time Between Filing and Disposition of Cases
During Fiscal Year 1990



COURTS OF APPEALS
Total of Reported Activity
for the Year Ending August 31, 1990

CRIMINAL & CIVIL CASES

	<u>TOTALS</u>	<u>AVERAGES PER JUSTICE¹</u>
Cases Pending September 1, 1989	6,198	77
Cases Added During Year Ending August 31, 1990:		
New Cases Filed	8,062	101
Other Cases Added	266	3
TOTAL CASES ADDED DURING YEAR	8,328	104
Cases Disposed of During Year:		
Cases affirmed	3,022	
Cases modified and/or reformed and affirmed	149	
Cases affirmed in part and in part reversed and remanded	85	
Cases affirmed in part and in part reversed and rendered	53	
Cases reversed and remanded	740	
Cases reversed and rendered	206	
Cases otherwise disposed	1,294	
Cases dismissed	1,543	
Case consolidations or voids	42	
TOTAL DISPOSITIONS DURING YEAR	8,134	102
Cases Pending August 31, 1990:		
Civil cases pending	2,545	32
Criminal cases pending	3,848	48
TOTAL CASES PENDING	6,392	80
Opinions Written During Year:	7,511	94

¹Averages based on 80 justices

COURTS OF APPEALS

Activity for the Year Ending August 31, 1990

	Houston-1st 9 Justices			Fort Worth-2nd 7 Justices			Austin-3rd 6 Justices			San Antonio-4th 7 Justices		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1989	301	558	859	210	314	524	223	264	487	272	277	549
New cases filed during year ending												
August 31, 1990	591	555	1,146	313	337	650	286	258	544	423	287	710
Cases transferred in	0	3	3	0	0	0	0	0	0	0	0	0
Cases transferred out	-26	-125	-151	0	0	0	0	0	0	0	0	0
Rehearings granted	12	7	19	3	2	5	2	1	3	7	2	9
Cases reinstate	0	1	1	3	1	4	3	2	5	6	8	14
Cases remanded from higher courts	0	4	4	0	0	0	4	5	2	0	2	2
TOTAL CASES ON DOCKET	878	1,003	1,881	529	654	1,183	518	530	1,048	708	576	1,284
Cases affirmed	134	360	494	95	212	307	98	222	320	129	195	324
Cases modified and/or reformed and affirmed.....	4	4	8	7	2	9	5	5	10	11	8	19
Cases affirmed in part and in part reversed and remanded	0	0	0	12	0	12	4	1	5	9	5	14
Cases affirmed in part and in part reversed and rendered	1	1	2	4	0	4	7	0	7	7	1	8
Cases reversed and remanded	65	33	98	35	28	63	28	13	41	44	21	65
Cases reversed and rendered	6	0	6	13	0	13	9	0	9	17	0	17
Cases otherwise disposed	153	10	163	41	13	54	20	4	24	169	61	230
Cases dismissed	161	73	234	86	57	143	74	47	121	46	27	73
Case consolidations or voids	2	8	17	0	0	0	11	0	11	0	0	0
TOTAL CASES DISPOSED	533	489	1,022	293	312	605	256	292	548	432	318	750
Cases pending August 31, 1990:												
Pending up to 6 months	196	239	435	118	182	300	119	99	218	153	125	278
Pending from 6 to 12 months	92	142	234	70	100	170	96	96	192	81	94	175
Pending from 12 to 24 months	37	114	151	35	56	91	34	32	66	22	35	57
Pending over 24 months	20	19	39	13	4	17	13	11	24	20	4	24
TOTAL CASES PENDING AUGUST 31, 1990	345	514	859	236	342	578	262	238	500	276	258	534
Avg. time between filing & disposition (months)	6.3	11.2	8.7	8.4	12.6	10.6	9.6	10.8	10.2	7.9	11.1	9.2
Avg. time between submission & disposition (months)	1.6	1.7	1.7	3.5	4.0	3.8	3.8	3.8	3.8	2.9	2.9	2.9

COURTS OF APPEALS

Activity for the Year Ending August 31, 1990

(Continued)

	Dallas-5th 13 Justices			Texarkana-6th 3 Justices			Amarillo-7th 4 Justices			El Paso-8th 4 Justices		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1989	296	827	1,123	76	117	193	118	145	263	108	148	256
New cases filed during year ending												
August 31, 1990	641	876	1,517	59	68	127	186	197	383	152	180	332
Cases transferred in	1	0	1	0	0	0	0	0	0	26	24	50
Cases transferred out	0	0	0	0	0	0	0	0	0	-1	0	-1
Rehearings granted	19	3	22	5	2	7	1	0	1	3	0	3
Cases reinstated	7	9	16	0	0	0	1	19	20	1	2	3
Cases remanded from higher courts	5	7	12	0	0	0	1	0	1	1	2	3
TOTAL CASES ON DOCKET	969	1,722	2,691	140	187	327	307	361	668	290	356	646
Cases affirmed	198	628	826	47	102	149	48	110	158	61	127	188
Cases modified and/or reformed and affirmed	0	5	5	2	5	7	6	1	7	0	4	4
Cases affirmed in part and in part reversed and remanded	9	0	9	3	0	3	1	0	1	2	0	2
Cases affirmed in part and in part reversed and rendered	6	0	6	0	0	0	4	0	4	7	0	7
Cases reversed and remanded	82	50	132	16	5	21	18	19	37	31	17	48
Cases reversed and rendered	28	13	41	18	3	21	7	3	10	7	10	17
Cases otherwise disposed	180	110	290	18	2	20	51	25	76	35	8	43
Cases dismissed	160	28	188	15	9	24	34	49	83	44	41	85
Case consolidations or voids	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL CASES DISPOSED	663	834	1,497	119	126	245	169	207	376	187	207	394
Cases pending August 31, 1990:												
Pending up to 6 months	224	429	653	15	37	52	56	77	133	65	86	151
Pending from 6 to 12 months	72	342	414	4	16	20	50	50	100	33	51	84
Pending from 12 to 24 months	10	111	121	1	8	9	28	26	54	4	12	16
Pending over 24 months	0	6	6	1	0	1	4	1	5	1	0	1
TOTAL CASES PENDING AUGUST 31, 1990	306	888	1,194	21	61	82	138	154	292	103	149	252
Avg. time between filing & disposition (months)	6.1	11.2	9.0	6.0	8.0	7.0	7.4	7.4	7.4	5.7	8.6	7.2
Avg. time between submission & disposition (months)	1.1	1.0	1.0	1.6	1.4	1.5	1.8	0.6	1.2	0.8	0.8	0.8

COURTS OF APPEALS
Activity for the Year Ending August 31, 1990
(Continued)

	Beaumont-9th 3 Justices			Waco-10th 3 Justices			Eastland-11th 3 Justices			Tyler-12th 3 Justices		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1989	120	86	206	77	171	248	86	113	199	107	128	235
New cases filed during year ending												
August 31, 1990	153	98	251	91	137	228	82	106	188	168	184	352
Cases transferred in	0	0	0	0	0	0	0	101	101	0	0	0
Cases transferred out	0	0	0	0	0	0	0	-1	-1	0	0	0
Rehearings granted	4	1	5	3	0	3	1	1	2	1	2	3
Cases reinstated	2	7	9	1	1	2	3	13	16	4	2	6
Cases remanded from higher courts	4	3	7	0	1	1	3	1	4	0	5	5
TOTAL CASES ON DOCKET	283	195	478	172	310	482	175	334	509	280	321	601
Cases affirmed	44	76	120	43	131	174	41	91	132	33	55	88
Cases modified and/or reformed and affirmed	5	1	6	8	4	12	5	1	6	3	0	3
Cases affirmed in part and in part reversed and remanded	4	1	5	1	0	1	8	1	9	1	0	1
Cases affirmed in part and in part reversed and rendered	4	0	4	0	0	0	1	0	1	1	0	1
Cases reversed and remanded	20	5	25	11	7	18	7	6	13	19	8	27
Cases reversed and rendered	11	0	11	1	0	1	4	0	4	5	10	15
Cases otherwise disposed	30	11	41	27	2	29	20	11	31	21	11	32
Cases dismissed	40	16	56	25	20	45	28	47	75	50	27	77
Case consolidations or voids	2	0	2	0	0	0	0	1	1	0	0	0
TOTAL CASES DISPOSED	160	110	270	116	164	280	114	158	272	133	111	244
Cases pending August 31, 1990:												
Pending up to 6 months	63	39	102	34	52	86	32	117	149	65	75	140
Pending from 6 to 12 months	38	35	73	14	50	64	15	52	67	43	76	119
Pending from 12 to 24 months	16	11	27	8	38	46	14	5	19	37	49	86
Pending over 24 months	6	0	6	0	6	6	0	2	2	2	10	12
TOTAL CASES PENDING AUGUST 31, 1990	123	85	208	56	146	202	61	176	237	147	210	357
Avg. time between filing & disposition (months)	10.9	10.0	10.6	6.7	11.4	9.9	9.0	7.0	7.8	8.1	12.0	9.9
Avg. time between submission & disposition (months)	1.5	0.7	1.2	2.0	1.6	1.7	2.3	0.7	1.4	2.5	2.8	2.6

COURTS OF APPEALS

Activity for the Year Ending August 31, 1990

(Continued)

	Corpus Christi-13th 6 Justices			Houston-14th 9 Justices			Grand Totals		
	Civil	Crim	Total	Civil	Crim	Total	Civil	Crim	Total
Cases pending September 1, 1989	157	207	364	327	365	692	2,478	3,720	6,198
New cases filed during year ending August 31, 1990	302	204	506	535	593	1128	3,982	4,080	8,062
Cases transferred in	0	0	0	0	1	1	27	129	156
Cases transferred out	0	-1	-1	0	-2	-2	-27	-129	-156
Rehearings granted	5	3	8	16	8	24	82	32	114
Cases reinstated	0	0	0	0	0	0	31	65	96
Cases remanded from higher courts	1	5	6	0	2	2	19	37	56
TOTAL CASES ON DOCKET	465	418	883	878	967	1,845	6,592	7,934	14,526
Cases affirmed	75	182	257	179	306	485	1,225	2,797	3,022
Cases modified and/or reformed and affirmed.....	8	9	17	19	17	36	83	66	149
Cases affirmed in part and in part reversed and remanded	9	1	10	10	3	13	73	12	85
Cases affirmed in part and in part reversed and rendered	8	0	8	1	0	1	51	2	53
Cases reversed and remanded	39	23	62	65	25	90	480	60	740
Cases reversed and rendered	12	0	12	18	11	29	156	50	206
Cases otherwise disposed	66	2	68	157	36	193	988	306	1,294
Cases dismissed	72	51	123	131	85	216	966	577	1,543
Case consolidations or voids	0	0	0	3	8	11	25	17	42
TOTAL CASES DISPOSED	289	268	557	583	491	1074	4,047	4,087	8,134
Cases pending August 31, 1990:									
Pending up to 6 months	99	96	195	168	295	463	1,407	1,948	3,355
Pending from 6 to 12 months	50	38	88	107	127	234	765	1,269	2,034
Pending from 12 to 24 months	27	16	43	15	52	67	288	565	853
Pending over 24 months	0	0	0	5	3	8	85	66	151
TOTAL CASES PENDING AUGUST 31, 1990	176	150	326	295	476	771	2,545	3,847	6,392
Avg. time between filing & disposition (months)	7.2	10.1	8.6	8.0	9.3	8.6	7.7	9.7	8.9
Avg. time between submission & disposition (months)	3.0	3.0	3.0	1.0	0.7	0.9	2.1	1.9	2.0

COURTS OF APPEALS

Opinions Written by Justices of the Courts of Appeals for the Year Ending August 31, 1990

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 PER COURT
FIRST, HOUSTON										
Frank G. Evans	63	2	1	3	0	0	1	42	112	
*James F. Warren	54	0	2	0	0	1	0	48	105	
Sam Bass	83	0	3	0	0	2	0	38	126	
Lee Duggan, Jr.	62	0	1	2	0	3	0	49	117	
Murry B. Cohen	61	2	6	1	1	0	0	42	113	
D. Camille Dunn	87	2	5	0	0	0	0	30	124	
Margaret Garner Mirabal	81	1	4	0	0	0	0	42	128	
Jon N. Hughes	55	0	1	0	0	2	0	39	97	
Michol O'Connor	69	3	11	2	0	0	0	41	126	
*Assigned Judges	13	0	0	0	0	0	0	0	13	1,061
SECOND, FORT WORTH										
H. Tod Weaver	70	0	0	1	0	20	1	1	93	
Joe Spurlock, II	54	0	0	0	0	24	2	2	82	
John G. Hill	53	0	4	0	0	18	2	4	81	
David Farris	84	0	2	1	0	19	1	2	109	
Hal M. Lattimore	52	0	0	1	0	13	2	1	69	
Lawrence E. Meyers	65	0	2	0	0	15	1	1	84	
*David Keltner	40	1	2	0	0	10	1	0	54	
*Sam Day	38	0	0	0	0	14	0	1	53	
*Assigned Judges	8	0	0	0	0	0	0	0	8	633
THIRD, AUSTIN										
*Bob Shannon	39	0	0	2	0	0	0	37	78	
John Powers	31	1	3	1	2	1	0	35	74	
Robert A. (Bob) Gammage	17	0	0	0	0	0	0	37	54	
*Jimmy Carroll	26	0	0	1	0	0	0	37	64	
Marilyn Aboussie	30	1	0	1	0	0	0	37	69	
Woodie Jones	41	1	0	6	0	0	0	37	85	
*Assigned Judges	46	0	0	0	0	0	0	0	46	470
FOURTH, SAN ANTONIO										
Carlos C. Cadena	9	3	1	0	0	7	7	37	64	
Shirley M. Butts	57	4	9	0	0	3	1	4	78	
Blair Reeves	56	1	0	0	0	0	1	10	68	
Alfonso Chapa	62	4	3	0	0	4	8	8	89	
David Peeples	57	2	7	0	0	2	3	39	110	
Fred Biery	52	1	1	0	0	1	1	25	81	
Ron Carr	41	0	0	0	0	1	2	10	54	
*Assigned Judges	67	0	0	0	0	0	0	0	67	611
FIFTH, DALLAS										
Craig T. Enoch	39	1	0	0	1	3	2	23	69	
Warren Whitham	54	4	1	2	0	0	0	27	88	
Charles Ben Howell	69	0	8	2	0	0	3	0	82	
Pat McClung	51	1	3	0	0	0	1	24	80	
Annette Stewart	54	0	1	0	0	0	1	26	82	
Gordon Rowe	54	1	1	0	0	0	0	23	79	
James A. Baker	74	0	2	1	0	2	1	28	108	
Sue Lagarde	59	2	0	0	2	0	2	25	90	
Linda Thomas	51	0	0	0	1	0	0	14	66	
Ed Kinkeade	55	0	1	1	0	0	1	31	89	
John Ovard	51	1	3	1	0	0	0	31	87	
Joe Burnett	50	0	1	0	0	0	3	23	77	
John Whittington	55	0	1	0	0	0	6	26	88	
*Assigned Judges	33	1	3	0	0	0	1	0	38	1,123
SIXTH, TEXARKANA										
William J. Cornelius	65	0	0	1	0	8	3	15	92	
Charles Bleil	67	1	3	0	2	6	3	9	91	
Ben Z. Grant	59	3	3	5	0	4	3	16	93	
*Assigned Judges	1	0	0	0	0	2	0	1	4	280

COURTS OF APPEALS

Opinions Written by Justices of the Courts of Appeals for the Year Ending August 31, 1990

(Continued)

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 PER COURT
SEVENTH, AMARILLO										
Charles L. Reynolds	80	0	0	0	0	15	4	7	106	
Carlton B. Dodson	41	1	0	2	0	24	0	9	77	
John T. Boyd	72	1	0	5	0	25	3	0	106	
H. Bryan Poff, Jr.	66	0	0	3	0	18	2	1	90	379
EIGHTH, EL PASO										
Max N. Osborn	64	1	2	0	0	2	3	6	78	
Larry Fuller	68	1	0	0	0	0	2	5	76	
Jerry Woodard	69	0	0	0	0	1	3	15	88	
Ward L. Koehler	77	0	1	0	0	0	2	1	81	323
NINTH, BEAUMONT										
Ronald L. Walker	47	7	0	0	0	0	0	9	63	
Jack Brookshire	51	5	5	1	0	1	1	14	78	
Don Burgess	61	8	12	0	0	1	1	15	98	
*Assigned Judges	4	0	0	0	0	0	0	0	4	243
TENTH, WACO										
Bob L. Thomas	71	0	0	3	1	1	0	24	100	
Vic Hall	48	0	0	0	0	1	1	17	67	
Terry R. Means	41	0	0	4	0	0	2	20	67	
*Assigned Judges	52	0	0	1	0	0	0	1	54	288
ELEVENTH, EASTLAND										
Austin McCloud	30	0	0	1	0	1	0	36	68	
Bob Dickenson	38	0	0	0	1	0	0	33	72	
William G. (Bud) Arnot, III	25	0	2	1	0	0	1	45	74	
*Assigned Judges	10	0	0	0	0	0	0	0	10	224
TWELFTH, TYLER										
Tom B. Ramey, Jr.	24	0	0	0	0	3	2	44	73	
Paul S. Colley	34	0	0	0	0	1	2	45	82	
Bill Bass	30	0	0	0	0	0	1	45	76	
*Assigned Judges	3	0	0	0	0	0	0	0	3	234
THIRTEENTH, CORPUS CHRISTI										
Paul W. Nye	77	3	6	1	0	0	0	23	110	
Noah Kennedy	84	1	0	4	0	1	0	22	112	
Robert J. Seerden	66	2	0	2	0	0	1	22	93	
Fortunato P. Benavides	69	3	3	1	1	0	0	23	100	
J. Bonner Dorsey	51	2	0	3	2	0	0	22	80	
*William H. Keys	14	0	0	1	0	0	0	8	23	
*Norman Utter	16	0	0	0	0	0	0	9	25	543
FOURTEENTH, HOUSTON										
J. Curtiss Brown	70	1	3	0	0	6	0	42	122	
Paul Pressler	72	1	0	0	0	2	0	32	107	
William E. Junell	72	0	0	0	0	4	0	40	116	
Paul C. Murphy	69	1	2	0	0	4	0	39	115	
Sam Robertson	81	0	11	0	0	1	0	41	134	
Ross A. Sears	68	0	5	0	0	4	0	24	101	
Bill Cannon	74	0	0	0	0	2	0	39	115	
Joe L. Draughn	70	1	2	0	0	4	0	39	116	
George T. Ellis	113	1	11	0	0	5	0	38	168	
*Assigned Judges	4	0	1	0	0	0	0	0	5	1,099
TOTALS	4,839	84	165	68	14	312	95	1,934	7,511	7,511

*Ordinarily, these are comparable to an original opinion on the merits.

¹Michael H. Schneider was appointed on September 27, 1990, to replace James F. Warren who died on August 13, 1990.

²Retired Appellate Justices appointed by the Supreme Court

³David Keltner resigned on January 1, 1990.

⁴Sam Day was appointed January 1, 1990, to replace David Keltner who resigned on January 1, 1990.

⁵Bob Shannon will retire effective December 31, 1990.

⁶Jimmy Carroll will become Chief Justice effective January 1, 1991, to replace Bob Shannon who will retire effective December 31, 1990.

⁷William H. Keys appointed on March 31, 1990, to replace Norman Utter who died on February 6, 1990.

⁸Norman Utter died on February 6, 1990.

COURTS OF APPEALS

Activity for the Year Ending August 31, 1990

COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1990

<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>	<u>COUNTY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TOTAL</u>
Harris	917	1041	1958	Medina	11	6	17
Dallas	573	799	1372	Houston	14	1	15
Bexar	288	175	463	Jim wells	8	7	15
Travis	189	93	282	Bastrop	6	8	14
El Paso	77	104	181	Matagorda	11	3	14
Nueces	118	52	170	Hardin	11	2	13
Tarrant	51	102	153	Navarro	6	7	13
Smith	51	76	127	Wharton	11	2	13
Galveston	56	69	125	Freestone	0	12	12
Lubbock	43	81	124	Frio	3	9	12
Brazoria	82	39	121	Henderson	8	4	12
Cameron	56	46	102	Moore	6	6	12
Brazos	15	76	91	Van Zandt	6	6	12
Collin	35	46	81	Waller	6	6	12
Hidalgo	48	31	79	Aransas	2	9	11
Jefferson	40	37	77	Washington	3	8	11
Bell	16	54	70	Wilson	8	3	11
Potter	28	41	69	Burnet	4	6	10
McLennan	15	51	66	Erath	1	9	10
Gregg	23	42	65	Harrison	7	3	10
Taylor	19	41	60	Hutchinson	7	3	10
Walker	38	22	60	Kaufman	7	3	10
Fort Bend	20	32	52	Llano	1	9	10
Ector	16	30	46	Panola	5	5	10
Webb	30	15	45	Parmer	6	4	10
Anderson	24	17	41	Robertson	5	5	10
Midland	18	18	36	Wilbarger	1	9	10
Grayson	14	20	34	Austin	7	2	9
Montgomery	20	13	33	Brown	7	2	9
Victoria	19	13	32	Duval	7	2	9
Denton	8	23	31	Eastland	4	5	9
Hays	11	19	30	Gray	5	4	9
San Patricio	9	18	27	Grimes	4	5	9
Hopkins	10	16	26	Karnes	0	9	9
Lamar	5	20	25	Milam	5	4	9
Liberty	13	12	25	Atascosa	3	5	8
Palo Pinto	5	20	25	Cherokee	8	0	8
Randall	13	11	24	Franklin	2	6	8
Williamson	12	12	24	Hood	3	5	8
Bee	7	15	22	Jasper	5	3	8
Angelina	12	9	21	Kelberg	4	4	8
Comal	8	13	21	Kendall	7	1	8
Guadalupe	5	16	21	Kerr	4	4	8
Nacogdoches	8	13	21	Leon	5	3	8
Caldwell	7	13	20	Scurry	4	4	8
Tom Green	9	11	20	Ward	1	7	8
Val Verde	6	14	20	Burleson	4	3	7
Ellis	10	9	19	Chambers	2	5	7
Hale	5	14	19	Fayette	6	1	7
Orange	6	13	19	Gillespie	2	5	7
Wichita	11	8	19	Morris	4	3	7
Bowie	11	7	18	Nolan	5	2	7
Hunt	6	12	18	Polk	4	3	7
Johnson	9	9	18	Refugio	3	4	7
Rusk	14	4	18	Rockwall	5	2	7
Maverick	12	5	17	Cooke	2	4	6

COURTS OF APPEALS

Activity for the Year Ending August 31, 1990

(Continued)

COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1990

COUNTY	CIVIL	CRIMINAL	TOTAL	COUNTY	CIVIL	CRIMINAL	TOTAL
Coryell	2	4	6	Terry	0	3	3
Howard	4	2	6	Yoakum	2	1	3
Jim Hogg	5	1	6	Archer	2	0	2
Madison	1	5	6	Callahan	2	0	2
Shelby	4	2	6	Childress	2	0	2
Tyler	3	3	6	Delta	0	2	2
Zavala	0	6	6	Dickens	2	0	2
Calhoun	5	0	5	Gaines	2	0	2
Camp	1	4	5	Hartley	2	0	2
Carson	0	5	5	Haskell	0	2	2
Colorado	3	2	5	Irion	2	0	2
Comanche	3	2	5	Knox	1	1	2
Hill	2	3	5	Lamb	1	1	2
Hockley	2	3	5	Limestone	2	0	2
Jones	2	3	5	Marion	2	0	2
Lampasas	0	5	5	Martin	2	0	2
Mills	1	4	5	Ochiltree	1	1	2
Newton	4	1	5	Red River	2	0	2
San Augustine	2	3	5	Runnels	1	1	2
Stephens	2	3	5	San Saba	1	1	2
Titus	1	4	5	Shackelford	1	1	2
Upshur	2	3	5	Somervell	0	2	2
Wise	4	1	5	Sutton	1	1	2
Young	3	2	5	Trinity	2	0	2
Bosque	2	2	4	Upton	1	1	2
Brooks	3	1	4	Willacy	0	2	2
Dawson	0	4	4	Zapata	1	1	2
Deaf Smith	2	2	4	Bandera	1	0	1
Mitchell	1	3	4	Baylor	0	1	1
Montague	3	1	4	Borden	1	0	1
Pecos	1	3	4	Brewster	0	1	1
San Jacinto	2	2	4	Castro	0	1	1
Stonewall	4	0	4	Cochran	0	1	1
Swisher	2	2	4	Coke	0	1	1
Uvalde	1	3	4	Collingsworth	1	0	1
Wood	3	1	4	Concho	1	0	1
Andrews	1	2	3	Cottle	0	1	1
Cass	3	0	3	Crockett	1	0	1
Dallam	2	1	3	Crosby	0	1	1
Dimmit	1	2	3	DeWitt	0	1	1
Donley	1	2	3	Edwards	1	0	1
Falls	2	1	3	Fisher	1	0	1
Fannin	3	0	3	Floyd	1	0	1
Goliad	2	1	3	Gonzales	1	0	1
Hardeman	2	1	3	Hall	0	1	1
Jack	1	2	3	Hemphill	1	0	1
Kimble	2	1	3	Hudspeth	0	1	1
Lavaca	2	1	3	Jackson	1	0	1
Lee	3	0	3	LaSalle	0	1	1
Lipscomb	3	0	3	Lynn	1	0	1
Live Oak	2	1	3	McMullen	1	0	1
Presidio	1	2	3	Menard	1	0	1
Rains	1	2	3	Real	1	0	1
Reeves	1	2	3	Trinity	1	0	1
Roberts	3	0	3	Wheeler	1	0	1
Sabine	0	3	3	Winkler	1	0	1
Starr	3	0	3				