

SUPREME COURT  
Statistics-- 1969

I. REGULAR CAUSES<sup>1</sup>

On Docket Within the Year

Carried over from 1968 (Pending under submission-----	28	
(Pending set for submission-----	12	
By granted applications for writs of error-----	88	
By granted motions for leave to file petitions for writs of mandamus-----	4	
By granted petitions for writs of habeas corpus-----	2	
By direct appeals filed-----	6	
Total-----	140	140

Dispositions

(a) Upon Writ of Error to Courts of Civil Appeals:		
Judgment (or judgments) of the Court of Civil Appeals affirmed, or reformed or modified and affirmed-----		23
Judgment of the Court of Civil Appeals reversed (or in part) and judgment of trial court affirmed (or modified and affirmed)-----		21
Judgment of Court of Civil Appeals reversed (or in part) and cause remanded to trial court-----		20
Judgment of Court of Civil Appeals reversed (or in part) and cause remanded to that court-----		3
Judgment of Court of Civil Appeals reversed (or in part) and judgment rendered-----		18

<sup>1</sup>Cases in which oral argument of counsel in open court is had (unless waived) and in which the Court's decision is almost invariably reflected in a written opinion. The bulk of these "Regular Causes" (as evidenced by the five items under subtitle (a) above) consists of those, in which, prior to the oral argument and decision, the case is reviewed in conference by the Supreme Court upon applications for writ of error, with three or more of the Justices voting that the decision of the Court of Civil Appeals was erroneous and that the writ should accordingly be granted. A somewhat similar procedure is followed regarding petitions for original mandamus and habeas corpus, which only become "Regular Causes" following review and vote in conference. The foregoing should be kept in mind in reading the statistics of "Regular Causes" and those concerning other cases or proceedings had or disposed of by the Court. In the latter class fall actions such as the Court's rejection in conference of a particular application for writ of error or application to file a petition for original mandamus or habeas corpus; and this class is obviously far larger than that of "Regular Causes." The reasons for this disparity--whether the excellence of the Courts of Civil Appeals, the intransigence of litigants or something else--are not reached by current statistics.

(b) Original Mandamus:			
Writs granted-----			3
Writs dismissed-----			2
(c) Habeas Corpus:			
Relator remanded-----			2
Relator discharged-----			3
Cause dismissed for want of jurisdiction-----			2
(d) Direct Appeal:			
Judgment of District Court affirmed-----			1
Judgment of District Court affirmed on certificate-----			1
Judgment of District Court reversed and cause remanded to District Court-----			1
Judgment of District Court reversed and injunction dissolved-----			1
	Sub Total-----	101	
Pending under submission-----		26	
Pending set for submission-----		13	
	Total-----	140	140
Causes submitted in 1969-----			93

## II. CASES OTHER THAN REGULAR CAUSES

### APPLICATIONS FOR WRITS OF ERROR

#### On Docket Within the Year

Carried over from 1968-----			53
Filed in 1969-----			678
	Total-----	731	731

#### Dispositions

Granted-----			100
Refused-----			14
Refused. No reversible error-----			463
Dismissed for want of jurisdiction-----			66
Dismissed under Rule 483, Texas Rules of Civil Procedure-----			4
Dismissed on joint motion of parties-----			1
Dismissed on Order of court-----			3
	Sub Total-----	651	651
Carried over to 1970-----		80	80
	Total-----	731	731

### MANDAMUS

#### On Docket Within the Year

Filed in 1969-----			33	33
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Dispositions

Granted-----	5	
Overruled-----	27	
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Sub Total-----	32	32
Carried over to 1970-----	1	1
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Total-----	33	33

HABEAS CORPUS

On Docket Within the Year

Filed in 1969-----	11	
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Dispositions

Granted-----	4	
Denied-----	5	
Petition dismissed on motion of relator-----	2	
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Total-----	11	11

III. MOTIONS

FOR REHEARING OF REGULAR CAUSES

On Docket Within the Year

Carried over from 1968-----	7	
Filed in 1969-----	75	
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Total-----	82	82

Dispositions

Overruled-----	76	
Granted-----	2	
	<hr/>	
Sub Total-----	78	78
Carried over to 1970-----	4	4
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Total-----	82	82

FOR REHEARING OF APPLICATIONS  
FOR WRITS OF ERROR

On Docket Within the Year

Carried over from 1968-----	19	
Filed in 1969-----	245	
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Total-----	264	264

Dispositions

Granted-----	5	
Overruled-----	236	
	Sub Total-----	241 241
Carried over to 1970-----	23	23
	Total-----	264 264

FOR REHEARING OF MOTION  
FOR LEAVE TO FILE PETITIONS FOR  
WRITS OF MANDAMUS

On Docket Within the Year

Filed in 1969-----	1
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Dispositions

Overruled-----	1	1
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MISCELLANEOUS MOTIONS

Passed upon by Court in 1969-----	40	40
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IV. OPINIONS DELIVERED IN 1969

Deciding Causes-----	95	
On motions for rehearing of causes overruled-----	4	
Per Curiam on applications, motions, etc.-----	10	
Concurring-----	5	
Dissenting-----	19	
	Total-----	133 133

R E C A P I T U L A T I O N

Cases determined:

Regular causes-----	101	
Applications for writs of error-----	651	
Motions for leave to file petitions for writs of mandamus-----	32	
Petitions for writs of habeas corpus-----	11	
	Total-----	795

Motions passed on:

Rehearing of causes-----	78	
Rehearing of applications for writs of error---	241	
Rehearing of motions for leave to file petitions for writs of mandamus-----	1	
Miscellaneous-----	40	
	Total-----	360

Carried over to 1970:

Regular causes-----	26
Applications for writs of error -----	80
Motions for rehearing of causes-----	4
Motions for rehearing of applications for writs of error-----	23
Motions for leave to file petition for writ of mandamus-----	1
Total-----	<u>134</u>

OPINIONS WRITTEN BY JUSTICES OF THE SUPREME COURT 1

1969

Justices	(a) Original Opinions Deciding Causes	(b) Opinions on Rehearing of Causes Overruled	(c) Concurring Opinions	(d) Dissenting Opinions	(e) Per Curiam on Applications, Motions, etc.	(f) Total Per Justice
Robert W. Calvert, Chief Justice	11			2		13
Joe R. Greenhill, Associate Justice	10		2	1		13
Robert W. Hamilton, Associate Justice	11			3		14
2 Sears McGee, Associate Justice	6		1	1		8
Jack Pope, Associate Justice	12	1		3		16
2 Thomas M. Reavley, Associate Justice	8	1		1		10
Clyde E. Smith, Associate Justice	10	1	2	5		18
Zollie Steakley, Associate Justice	11	1		2		14
Ruel C. Walker, Associate Justice	12			1		13
Per Curiam, Rule 483 T.R.C.P.	4				10	10
Total	95	4	5	19	10	133

1 The comments in the four footnotes on p. 49 (Courts of Civil Appeals)

are largely applicable to all appellate courts.

2 Took office in 1969 or late 1968.

ACTION BY THE SUPREME COURT IN CASES FROM THE  
COURTS OF CIVIL APPEALS  
ON WRIT OF ERROR GRANTED  
1969

COURT AND LOCATION	COURT OF CIVIL APPEALS AFF.	C.C.A. REV., TRIAL COURT AFF.	REV. AND REM.	REV. IN PART AND AFF. IN PART	REV. AND REN.	OTHER RE- VERSALS	TOTAL FOR COURT
FIRST at Houston	2	3			2		7
SECOND at Fort Worth	1		1		2	3	7
THIRD at Austin	1	4					5
FOURTH at San Antonio	1		1			1	3
FIFTH at Dallas						1	1
SIXTH at Texarkana		1		1	1	3	6
SEVENTH at Amarillo	2	4		1	1	4	12

EIGHTH	1				1
at El Paso					
NINTH	2	1	2	1	6
at Beaumont					
TENTH	5	2	1	1	9
at Waco					
ELEVENTH	3		1	2	6
at Eastland					
TWELFTH	2	2	1	1	6
at Tyler					
THIRTEENTH	2		1		3
at Corpus Christi					
FOURTEENTH	3	1	1	4	9
at Houston					
Total for all Courts	21	20	4	3	13
					20
					81