

SUPREME COURT

I. REGULAR CAUSES¹
On Docket Within the Year

Carried over from 1970 (Pending under submission---	23	
(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-----	8	
By granted petitions for writs of habeas corpus----	1	
By direct appeal filed-----	2	
By certified question filed-----	1	
TOTAL-----	135	135

Dispositions

Judgment (or judgments) affirmed, or reformed or modified and affirmed-----	23
Judgment of Court of Civil Appeals reversed (or in part) and judgment of trial court affirmed-----	20
Judgment of Court of Civil Appeals reversed (or in part) and cause remanded to that court-----	12
Judgments reversed (or in part) and cause remanded to trial court-----	21
Judgments reversed (or in part) and judgment rendered-----	5

¹"Regular Causes" are reported in a separate category because they are the cases which pass through most, if not all, of the steps of the regular appellate decision-making process. "Regular Causes" are cases in which oral argument of counsel in open court is received (unless waived) and in which the court's decision is usually reported in a written opinion. Most are reviewed in conference by the Supreme Court, before oral argument and decision, 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 therefore should be granted. A similar procedure is followed regarding petitions for original mandamus and habeas corpus, which become "Regular Causes" only after review and vote in conference.

Cases other than "Regular Causes" include such actions as the court's rejection in conference of an application for writ of error or application to file a petition for original mandamus or habeas corpus. This category is obviously larger than that of "Regular Causes."

MANDAMUS - CIVIL

On Docket Within the Year

Filed in 1971-----	50	
TOTAL-----	50	50
<u>Dispositions</u>		
Granted-----	8	
OVERRULED-----	39	
Sub Total-----	47	47
Carried over to 1972-----	3	3
TOTAL-----	50	50

MANDAMUS - CRIMINAL

On Docket Within the Year

Carried over from 1970-----	65	
Filed in 1971-----	224	
TOTAL-----	289	289
<u>Dispositions</u>		
Dismissed as moot-----	186	
Dismissed for want of jurisdiction-----	6	
Dismissed for want of prosecution-----	18	
Dismissed for want of merit-----	3	
Dismissed at request of relator-----	1	
Denied-----	3	
Sub Total-----	217	217
Carried over to 1972-----	72	72
TOTAL-----	289	289

HABEAS CORPUS

On Docket Within the Year

Filed in 1971-----	4	
<u>Dispositions</u>		
Granted-----	1	
Denied-----	3	
TOTAL-----	4	4

Judgment of Court of Civil Appeals reversed and appeal dismissed-----	1	
Judgment of Court of Civil Appeals reversed and cause remanded to trial court for settlement-----	1	
Order granting application for writ of error set aside-----	1	
(Writs granted-----)	8	
Mandamus (Writs dismissed-----)	3	
Habeas Corpus (Relator discharged-----)	1	
(Judgment of trial court affirmed-----)	1	
Direct Appeal (Dismissed for want for jurisdiction-----)	1	
(Answered in the negative----	1	
Certified Question (Answered in part in the negative and in part in the affirmative-----)	1	
Sub Total-----	100	
(Pending under submission----	29	
(Pending set for submission--	6	
TOTAL-----	135	135

Causes submitted in 1971----- 86

II. CASES OTHER THAN REGULAR CAUSES

APPLICATIONS FOR WRITS OF ERROR

On Docket Within the Year

Carried over from 1970-----	65	
Filed in 1971-----	637	
TOTAL-----	702	702

Dispositions

Granted-----	93	
Refused-----	9	
Refused. No reversible error-----	408	
Dismissed for want of jurisdiction-----	58	
Dismissed by Rule 483 (Texas Rules of Civil Procedure)-----	5	
Dismissed by joint motion of parties-----	1	
Dismissed on order of the court-----	4	
Sub Total-----	578	578
Carried over to 1972-----	124	124
TOTAL-----	702	702

III. MOTIONS

MOTIONS FOR REHEARING OF CAUSES

On Docket Within the Year

Carried over from 1970-----	3	
Filed in 1971-----	72	
TOTAL-----	75	75

Dispositions

Overruled-----	63	
Granted-----	4	
Sub Total-----	67	67
Carried over to 1972-----	8	8
TOTAL-----	75	75

Motions for Rehearing of Applications
for Writs of Error

On Docket Within the Year

Carried over from 1970-----	22	
Filed in 1971-----	223	
TOTAL-----	245	245

Dispositions

Overruled-----	218	
Granted-----	1	
Sub Total-----	219	219
Carried over to 1972-----	26	26
TOTAL-----	245	245

Motions for Rehearing of Motion for Leave to
File Petitions for Writs of Mandamus

On Docket Within the Year

Filed in 1971-----	5	5
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Dispositions

Overruled-----	5	5
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Miscellaneous motions passed on by the Court in 1971-----	32	32
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IV. OPINIONS DELIVERED BY THE COURT

Deciding causes-----	100	
On motions for rehearing of causes overruled-----	3	
Per Curiam on applications, motions, etc.-----	20	
Concurring-----	11	
Dissenting-----	19	
TOTAL-----		<u>153</u>

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

Regular causes determined by Court in 1971-----	100	
Applications for writs of error determined by Court in 1971-----	578	
Motions for leave to file petitions for writ of mandamus involving civil cases determined by Court in 1971-----	47	
Motions for leave to file petitions for writ of mandamus involving criminal cases determined by Court in 1971-----	217	
Petitions for writs of habeas corpus determined by Court in 1971-----	4	
Total number of cases passed on by Court in 1971-----		<u>946</u>
Motions for rehearing of causes determined by Court in 1971-----	67	
Motions for rehearing of applications for writs of error determined by Court in 1971-----	219	
Motions for rehearing of motions for leave to file petitions for writ of mandamus determined by Court in 1971-----	5	
Miscellaneous motions passed on by Court in 1971--	<u>32</u>	
Total number of motions passed on by Court in 1971-----		323
Regular causes pending at close of December 31, 1971-----	29	
Applications for writ of error pending at that time-----	124	
Motions for rehearing of causes pending at that time-----	8	
Motions for rehearing of applications for writs of error pending at that time-----	26	
Motions for leave to file petitions for writs of mandamus in civil cases pending at that time-----	3	
Total number of cases pending at close of December 31, 1971-----		<u>190</u>

OPINIONS WRITTEN BY JUSTICES OF THE SUPREME COURT¹

1971

Justices	(a) Original Opinions Deciding Causes	(b) Opinions on Motions for Rehearing of Causes Overruled	(c) Concurring Opinions	(d) Dissenting Opinions	(e) Per Curiam	(f) Total Per Justice
Robert W. Calvert, Chief Justice	11		3	2		16
Price Daniel, Associate Justice	8			1		9
James G. Denton, Associate Justice	6					6
Joe R. Greenhill, Associate Justice	9		2	1		12
Sears McGee, Associate Justice	7			5		12
Jack Pope, Associate Justice	13	2	2	3		20
Thomas M. Reavley, Associate Justice	11		1	3		15
Zollie Steakley, Associate Justice	11	1	1	2		15
Ruel C. Walker, Associate Justice	12		2	2		16
Per Curiam, Rule 483 T.R.C.P.					20	20
Total	88	3	11	19	20	141

¹The comments in the four footnotes on p. 44 (Courts of Civil Appeals) are largely applicable to all appellate courts.

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

COURT AND LOCATION	COURT OF CIVIL APPEALS AFF.	C.C.A. REV. TRIAL COURT AFF.	REV. AND REM. TO C.C.A.	REV. & REM. TO TRIAL COURT	REV. AND REN.	OTHER RE- VERSALS	TOTAL FOR COURT
FIRST at HOUSTON	5	5	1	0	0	0	11
SECOND at FORT WORTH	2	2	0	3	1	1	9
THIRD at AUSTIN	1	4	2	2	0	1	10
FOURTH at SAN ANTONIO	4	1	1	0	0	0	6
FIFTH at DALLAS	3	0	1	2	0	0	6
SIXTH at TEXARKANA	0	0	1	0	0	0	1
SEVENTH at AMARILLO	1	1	0	3	0	0	5
EIGHT at EL PASO	2	0	0	3	0	0	5

NINTH	1	2	1	1-1/2	1/2	0	6
at BEAUMONT							
TENTH	2	2	2	1	0	0	7
at WACO							
ELEVENTH	1	0	0	2	0	0	3
at EASTLAND							
TWELFTH	1-1/2	2	1	0	1/2	0	5
at TYLER							
THIRTEENTH	1/2	0	2	1	1-1/2	0	5
at CORPUS CHRISTI							
FOURTEENTH	1	1	0	2	0	0	4
at HOUSTON							
Total for all Courts	25	20	12	20-1/2	3-1/2	2	83