

SUPREME COURT

I. REGULAR CAUSES<sup>1</sup>  
On Docket Within the Year

Carried over from 1971 (Pending under submission---	29	
(Pending set for submission-	6	
By granted applications for writs of error -----	73	
By granted motions for leave to file petitions		
for writs of mandamus -----	6	
By direct appeal filed -----	3	
By certified question filed -----	1	
Total -----	118	118

Dispositions

Judgment (or judgments) affirmed, or reformed or modified and affirmed -----	17	
Judgment of Court of Civil Appeals reversed (or in part) and trial court affirmed-----	25	
Judgments reversed (or in part) and cause remanded to trial court -----	29	
Judgment of Court of Civil Appeals reversed (or in part) and cause remanded to that court -----	2	
Judgments reversed (or in part) and judgment rendered -----	5	
Cause dismissed by Order of the Court -----	1	

<sup>1</sup>"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 application 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	(Writs granted-----	5	
	(Writs dismissed -----	1	
Direct Appeal	(Judgment of trial court re-		
	(versed and judgment rendered	1	
Certified Question	(Answered in part in the		
	(negative and in part in the		
	(affirmative -----	1	
	Sub Total -----	87	
	(Pending under submission---	24	
	(Pending set for submission---	7	
	Total -----	118	118

-----

Causes submitted in 1972----- 77

-----

## II. CASES OTHER THAN REGULAR CAUSES

### APPLICATIONS FOR WRITS OF ERROR

#### On Docket Within the Year

Carried over from 1971-----	124	
Filed in 1972-----	598	
Total-----	722	722

#### Dispositions

Granted-----	78	
Refused-----	6	
Refused. No Reversible Error-----	452	
Dismissed for want of jurisdiction-----	56	
Dismissed by Rule 483 (Texas Rules of Civil Procedure)-----	4	
Dismissed by order of the court-----	7	
Sub Total-----	603	603
Carried over to 1973-----	119	119
Total-----	722	722

MANDAMUS - CIVIL

On Docket Within the Year

Carried over from 1971-----	3	
Filed in 1972-----	55	
Total-----	58	58

Dispositions

Granted-----	6	
Overruled-----	47	
Sub Total-----	53	53
Carried over to 1973-----	5	5
Total-----	58	58

-----  
MANDAMUS - CRIMINAL

On Docket Within the Year

Carried over from 1971-----	72	
Filed in 1972-----	204	
Total-----	276	276

Dispositions

Dismissed as moot-----	171	
Dismissed for want of jurisdiction-----	1	
Dismissed for want of prosecution-----	11	
Dismissed for want of merit-----	2	
Sub Total-----	185	185
Carried over to 1973-----	91	91
Total-----	276	276

-----  
HABEAS CORPUS

On Docket Within the Year

Filed in 1972-----	1	1
--------------------	---	---

Dispositions

Denied-----	1	1
-------------	---	---

III. M O T I O N S

MOTIONS FOR REHEARING OF CAUSES

On Docket Within the Year

Carried over from 1971-----	8	
Filed in 1972-----	74	
Total-----	82	82

Dispositions

Overruled-----	71	
Granted-----	2	
Sub Total-----	73	73
Carried over to 1973-----	9	9
Total-----	82	82

-----  
Motions for Rehearing of Applications for Writs of Error

On Docket Within the Year

Carried over from 1971-----	26	
Filed in 1972-----	225	
Total-----	251	251

Dispositions

Overruled-----	234	
Granted-----	6	
Sub Total-----	240	240
Carried over to 1973-----	11	11
Total-----	251	251

-----  
Motions for Rehearing of Motion for Leave to File Petitions  
for Writs of Mandamus on Docket

Filed in 1972-----	2	2
--------------------	---	---

Dispositions

Overruled-----	2	2
----------------	---	---

Miscellaneous motions passed on by the Court in 1972-----	30	30
---	----	----

-----

#### IV. OPINIONS DELIVERED BY THE COURT IN 1972

Deciding causes-----	87
On motions for rehearing of causes overruled-----	2
Per Curiam on applications, motions, etc.-----	17
Concurring-----	3
Dissenting-----	18
Total-----	<u>127</u>

-----

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

Regular causes determined by Court in 1972-----	87
Applications for writs of error determined by Court in 1972-----	603
Motions for leave to file petitions for writ of mandamus involving civil cases determined by Court in 1972-----	53
Motions for leave to file petitions for writ of mandamus involving criminal cases determined by Court in 1972-----	185
Petitions for writs of habeas corpus determined by Court in 1972-----	1
Total number of cases passed on by Court in 1972--	<u>929</u>
Motions for rehearing of causes determined by Court in 1972-----	73
Motions for rehearing of applications for writs of error determined by Court in 1972-----	240
Motions for rehearing of motions for leave to file petitions for writ of mandamus determined by Court in 1972-----	2
Miscellaneous motions passed on by Court in 1972---	30
Total number of motions passed on by Court in 1972-----	<u>345</u>

Regular causes pending at close of December 31, 1972-----	24
Applications for writ of error pending at that time-----	119
Motions for rehearing of causes pending at that time-----	9
Motions for rehearing of applications for writs of error pending at that time-----	11
Motions for leave to file petitions for writ of mandamus in civil cases pending at that time-----	5
Total number of cases pending at close of December 31, 1972-----	168

OPINIONS WRITTEN BY JUSTICES OF THE SUPREME COURT<sup>1</sup>  
1972

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	7		1	3		11
Joe R. Greenhill, Chief Justice	12					12
Price Daniel, Associate Justice	7		1	1		9
James G. Denton, Associate Justice	8			1		9
Sears McGee, Associate Justice	7			1		8
#Hawthorne Phillips Associate Justice	3					3
Jack Pope, Associate Justice	10			4		14
Thomas M. Reavley, Associate Justice	10	1		3		14
Zollie Steakley, Associate Justice	10	1		2		13
Ruel C. Walker, Associate Justice	8		1	4		13
Per Curiam, Rule 483 T.R.C.P.	—	—	—	—	17	17
Total	82	2	3	19	17	123

<sup>1</sup>The comments in the four footnotes on p. 41 (Courts of Civil Appeals) are largely applicable to all appellate courts.  
\*Retired October 4, 1972.  
#Served from October 4 through December 31, 1972.

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 RE- VERSALS	OTHER RE- VERSALS	TOTAL FOR COURT
FIRST at HOUSTON	1/2	2	0	1	1/2	0	4
SECOND at FORT WORTH	0	1	0	3	0	0	4
THIRD at AUSTIN	2-1/2	4	1	2	1/2	0	10
FOURTH at SAN ANTONIO	1	0	0	2	0	1	4
FIFTH at DALLAS	3	2	0	1	0	0	6
SIXTH at TEXARKANA	0	1	0	1	1	0	3
SEVENTH at AMARILLO	2	2	1/2	1/2	0	0	5
EIGHTH at EL PASO	1-1/2	1	0	1-1/2	0	0	4



NINTH	2	0	1	2	0	0	0	5
at BEAUMONT								
TENTH	0	3	0	2	0	0	0	5
at WACO								
ELEVENTH	1	1	0	3	1	0	0	6
at EASTLAND								
TWELFTH	1	3	0	1	0	0	0	5
at TYLER								
THIRTEENTH	2-1/2	2	0	1-1/2	0	0	1	7
at CORPUS CHRISTI								
FOURTEENTH	3	2	0	3	1	0	0	9
at HOUSTON								
Total for all Courts	20	24	2-1/2	24-1/2	4	2	2	77