

COURT OF CRIMINAL APPEALS

ANALYSIS OF ACTIVITY FOR YEAR ENDED AUGUST 31, 1996

The Court of Criminal Appeals is the highest state court for criminal appeals and is composed of a Presiding Judge and eight judges.

Decisions of the Courts of Appeals in criminal cases may be appealed to the Court of Criminal Appeals by petition for discretionary review, filed either by the State, or the defendant, or both. In addition, the Court may review a decision on its own motion. Appeal of death penalty cases is direct from the trial court to the Court of Criminal Appeals.

MATTERS ADDED TO THE DOCKET

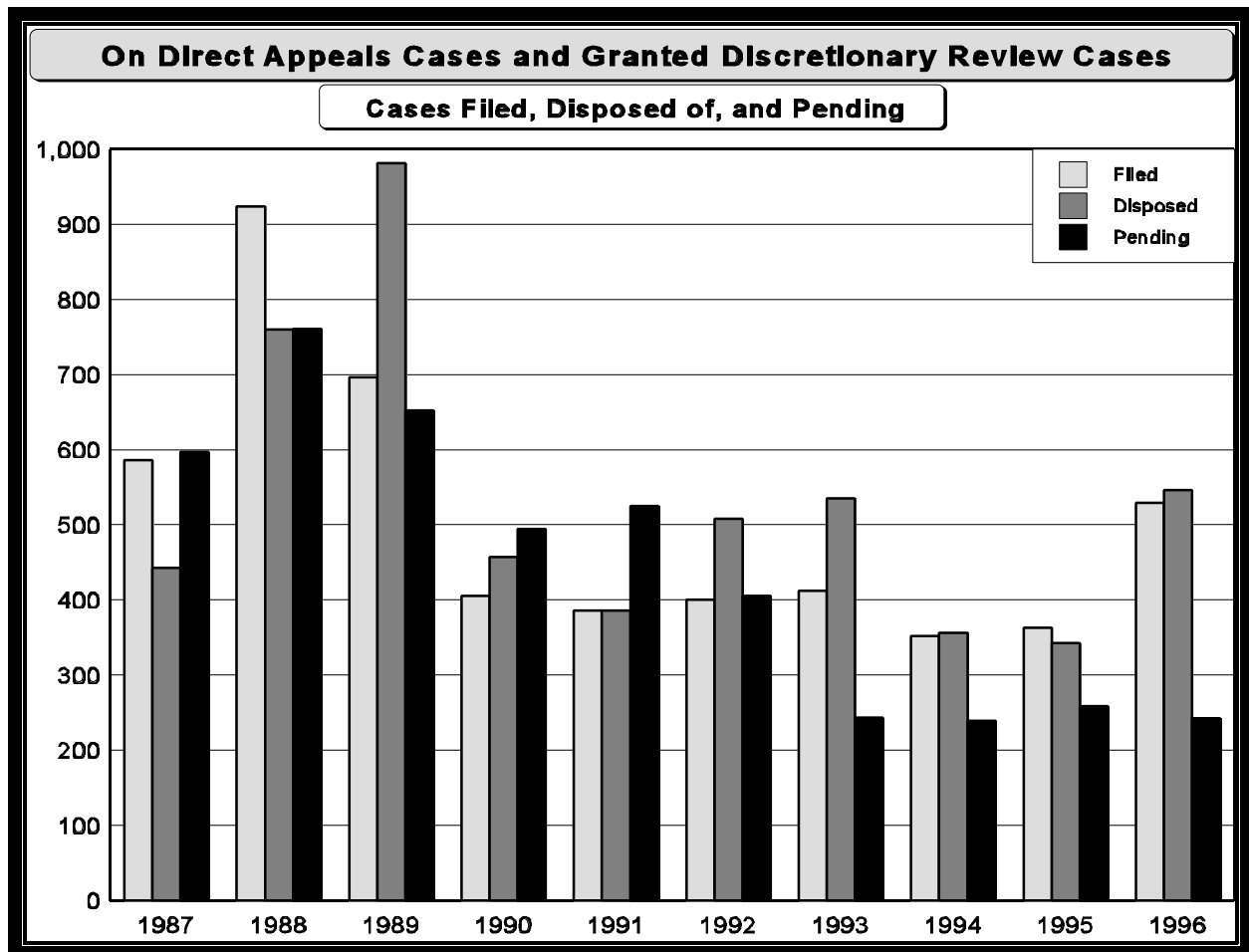
During the state fiscal year 1996, which ended August 31, 1996, 518 cases were added to the docket of the Court of Criminal Appeals, of which 211 were cases where discretionary review was granted by the Court and 307 were direct appeals, death penalty appeals, writs of habeas corpus granted, and extraordinary writs. Death penalty appeals in

fiscal year 1996 numbered 41, compared to 51 in fiscal year 1995.

The 518 cases added in fiscal year 1996 represent an increase of 48.9 percent from the 348 cases added during fiscal year 1995.

OTHER MATTERS ADDED

The Court had 1,847 petitions for discretionary review filed during fiscal year 1996, 28.4 percent more than the 1,439 filed during the previous year. Petitions for discretionary review were received from 139 counties, with 51 percent of them originating from Harris or Dallas Counties. Applications for writs of habeas corpus filed during the year totaled 4,445, a 11.2 percent increase over the 3,996 filed in fiscal year 1995. Also, 2,602 other motions or applications were handled by the Court, a 79.3 percent increase from the 1,451 considered the previous year.



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(CONTINUED)

DISPOSITIONS

During fiscal year 1996, the Court disposed of 323 cases on direct appeal, compared to 232 such dispositions in fiscal year 1995. In 1996, those 323 dispositions represented 72.3 percent of all cases on the docket on direct appeal, that is, cases filed during the year or carried over from previous years. In fiscal year 1995, this disposition rate was 64.4 percent.

In fiscal year 1996, 1,779 petitions for discretionary review were disposed, 211 (or 11.9 percent) of which were granted. The remainder were refused or dismissed. In fiscal year 1995, 1,452 petitions for discretionary review were disposed, 112 (or 7.7 percent) of which were granted.

There were 4,232 applications for writs of habeas corpus disposed in fiscal year 1996, compared to 4,550 in 1995, a decrease of 7 percent.

Judges of the Court of Criminal Appeals wrote 749 opinions during fiscal year 1996, of which 534 (71 percent) were “deciding” opinions disposing of cases. The remainder were dissents, concurrences, and opinions on rehearings. Of the deciding opinions, 130 were signed and 404 were per curiam. During 1995, members of the Court wrote 526 opinions, 65 percent of which were deciding opinions.

TOTAL PENDING CASELOAD

On August 31, 1996, 1,727 total matters (excluding miscellaneous motions and applications) were pending in the Court of Criminal Appeals. This represented an increase of 38 percent from the 1,251 matters pending on August 31, 1995.

Of these 1,727 matters, 132 were direct appeals, death penalty appeals, granted habeas corpus writs, and extraordinary writs, 110 were granted discretionary review cases, 466 were petitions for discretionary review, and 1,019 were applications for writs of habeas corpus.

