

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

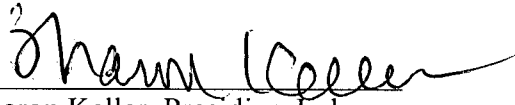
Misc. Docket No. 17-008

FINAL ORDER ADOPTING AMENDMENTS TO TEXAS RULE OF APPELLATE PROCEDURE 33.1

ORDERED that:

1. By order dated February 15, 2017, in Misc. Docket No. 17-003, the Court of Criminal Appeals adopted amendments to Rule of Appellate Procedure 33.1, effective July 1, 2017. The comment period having expired, no revisions to the rules have been made. This is the final order adopting the rules as amended.
2. The Clerk is directed to:
 - a. file a copy of this order with the Secretary of State;
 - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this order to each elected member of the Legislature; and
 - d. submit a copy of the order for publication in the *Texas Register*.

Dated: June 26, 2017.



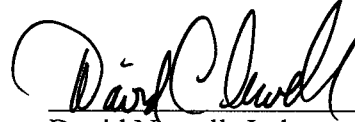
Sharon Keller, Presiding Judge



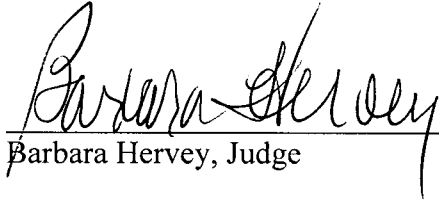
Kevin P. Yeary, Judge



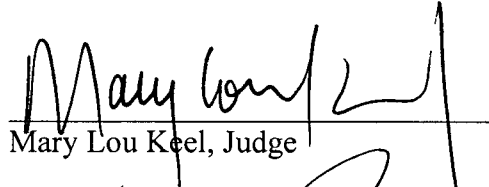
Michael Keasler, Judge



David Newell, Judge



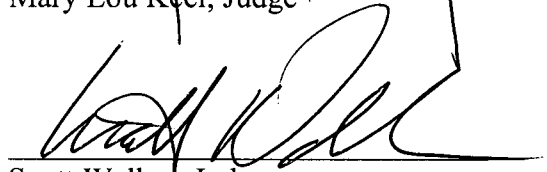
Barbara Hervey, Judge



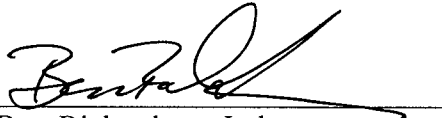
Mary Lou Keel, Judge



Elsa Alcala, Judge



Scott Walker, Judge



Bert Richardson, Judge

IN THE SUPREME COURT OF TEXAS

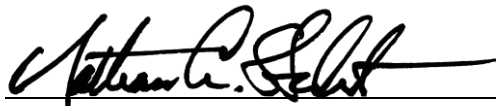
Misc. Docket No. 17-9067

FINAL ORDER ADOPTING AMENDMENTS TO TEXAS RULE OF APPELLATE PROCEDURE 33.1

ORDERED that:

1. The Supreme Court of Texas (Misc. Docket No. 17-9018) and the Court of Criminal Appeals (Misc. Docket No. 17-003) previously approved amendments to Rule of Appellate Procedure 33.1 and invited public comment.
2. The comment period has expired, and no additional changes have been made to the rule. This order contains the final version of the amended rule, effective July 1, 2017.
3. The Clerk is directed to:
 - a. file a copy of this order with the Secretary of State;
 - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this order to each elected member of the Legislature; and
 - d. submit a copy of the order for publication in the *Texas Register*.

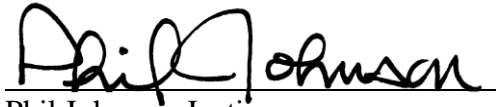
Dated: June 30, 2017.



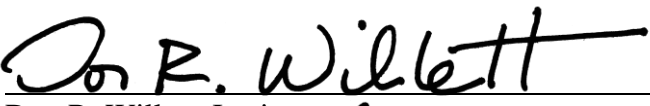
Nathan L. Hecht, Chief Justice



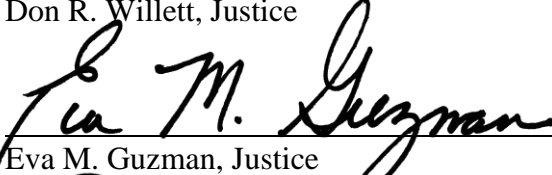
Paul W. Green, Justice




Phil Johnson, Justice



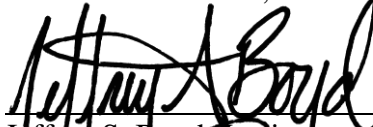
Don R. Willett, Justice



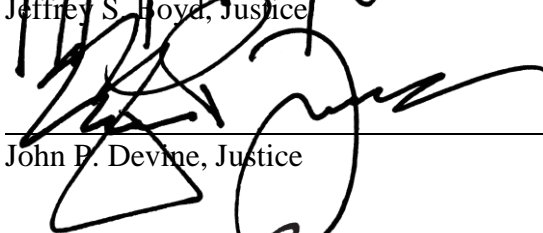
Eva M. Guzman, Justice



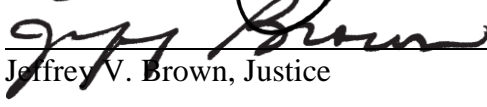
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey V. Brown, Justice

33.1. Preservation; How Shown

(a) In General. As a prerequisite to presenting a complaint for appellate review, the record must show that:

(1) the complaint was made to the trial court by a timely request, objection, or motion that:

(A) stated the grounds for the ruling that the complaining party sought from the trial court with sufficient specificity to make the trial court aware of the complaint, unless the specific grounds were apparent from the context; and

(B) complied with the requirements of the Texas Rules of Evidence or the Texas Rules of Civil or Appellate Procedure; and . . .

(d) Sufficiency of Evidence Complaints in Civil Nonjury Cases. In a civil nonjury case, a complaint regarding the legal or factual insufficiency of the evidence - including a complaint that the damages found by the court are excessive or inadequate, as distinguished from a complaint that the trial court erred in refusing to amend a fact finding or to make an additional finding of fact - may be made for the first time on appeal in the complaining party's brief.

Comment to 2017 change: The 2017 amendment is intended only to clarify, and not to change, existing law.