

**Court of Criminal Appeals Activity Detail: FY 2022**

	<i>Pending: 9/1/2021*</i>	<i>Cases Added</i>	<i>Total on Docket</i>	<i>Dispositions</i>	<i>Pending: 8/31/2022</i>
<b>Regular Appeals</b>					
Direct Appeals: Death Penalty	11	6	17	4	13
DNA Appeal - Death Sentence	1	2	3	2	1
Other Appeals	2	0	2	1	1
Granted Petitions for Discretionary Review	101	64	165	101	64
Petitions for Discretionary Review (Includes Granted MRH & Reinstated)	176	598	774	688	86
Redrawn Petitions for Discretionary Review	0	10	10	7	3
<b>Subtotal</b>	<b>291</b>	<b>680</b>	<b>971</b>	<b>803</b>	<b>168</b>
<b>Applications for Writ of Habeas Corpus</b>					
11.071 Writs (death penalty) Received	18	18	36	23	13
Habeas Corpus & Extraordinary Matters (filed & set)	13	110	123	106	17
Habeas Corpus Received	380	2,334	2714	2,356	358
Show Cause Order	5	1	6	1	5
Supplemental 11.07 Writs (other than death penalty)	104	371	475	382	93
Supplemental 11.071 Writs (death penalty)	10	7	17	8	9
<b>Subtotal</b>	<b>530</b>	<b>2,841</b>	<b>3,371</b>	<b>2,876</b>	<b>495</b>
<b>Original Proceedings**</b>					
Capital (Mandamus & Prohibitions)	0	10	10	6	4
Supplemental Received Writ of Habeas Corpus	0	1	1	1	0
Supplemental Received Writ of Prohibition	0	3	3	3	0
Supplemental Received Writ of Mandamus	7	48	55	50	5
Writs of Certiorari	1	6	7	7	0
Writs of Habeas Corpus	13	98	111	101	10
Writs of Mandamus	56	326	382	343	39
Writs of Procedendo	0	1	1	1	0
Writs of Prohibition	0	13	13	12	1
<b>Subtotal</b>	<b>77</b>	<b>506</b>	<b>583</b>	<b>524</b>	<b>59</b>
<b>Motions for Rehearing &amp; Reconsideration</b>					
Motions for Reconsideration (for original proceedings & 11.07 & 11.071 writs)	84	289	373	307	66
Motions for Stay of Execution (for 11.071 writs)	0	12	12	12	0

Rehearing on Direct Appeal	1	2	3	2	1
Rehearing on Granted Petitions for Discretionary Review	1	19	20	16	4
Rehearing on Habeas Corpus (filed & set)	0	3	3	3	0
Rehearing on Refused Petitions for Discretionary Review	2	28	30	23	7
<b>Subtotal</b>	<b>88</b>	<b>353</b>	<b>441</b>	<b>363</b>	<b>78</b>
Motions***	136	1,946	2082	1,938	144
<b>Total</b>	<b>1,122</b>	<b>6,326</b>	<b>7,448</b>	<b>6,504</b>	<b>944</b>

\* Cases pending at the beginning of the fiscal year (September 1) may not equal cases pending at the end of the previous fiscal year (August 31) due to docket adjustments.

\*\* Original proceedings are filed directly with the Court of Criminal Appeals.

\*\*\* Motions for extension of time and other motions.

**PENDING CASE STATUS: FY 2022**

	<b>9/1/2021</b>				<b>8/31/2022</b>			
	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	<b><i>Total Pending</i></b>	<i>Not Set for Submission</i>	<i>Set for Submission</i>	<i>Submitted</i>	<b><i>Total Pending</i></b>
Direct Appeal: Death Penalty	1	0	15	<b>16</b>	6	2	5	<b>13</b>
Direct Appeal: Death Penalty & Other	0	0	2	<b>2</b>	1	0	1	<b>2</b>
Granted Petitions for Discretionary Review	0	0	90	<b>90</b>	22	1	41	<b>64</b>
Habeas Corpus & Extraordinary Matters	0	0	29	<b>29</b>	4	0	13	<b>17</b>
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>136</b>	<b>137</b>	<b>33</b>	<b>3</b>	<b>60</b>	<b>96</b>

## **MANNER OF DISPOSITION: Appeals & Original Proceedings, FY 2022**

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### **Direct Appeals:**

#### *Death Penalty*

Affirmed	1
Remanded to the Trial Court	3
<b>TOTAL: Death Penalty</b>	<b>4</b>

#### *Death Penalty - DNA Appeal*

Affirmed	1
Vacate Trial Court judgment-remand to Trial Court	1
<b>TOTAL: Death Penalty - DNA Appeal</b>	<b>2</b>

#### *Other Appeals*

Dismissed as moot	1
<b>TOTAL: Other Appeals</b>	<b>1</b>

**TOTAL: Direct Appeals** 7

### **Petitions for Discretionary Review**

Granted	63
Refused	615
Struck	10
<b>TOTAL: Petitions for Discretionary Review</b>	<b>688</b>

### **Granted Petitions for Discretionary Review**

Affirmed COA & Remanded to the Trial Court	2
Affirmed court of appeals	26
Affirmed in part and remanded to the Court of Appeals	1
COA Affirmed in part, Reversed in part and render an acquittal	1
Dismissed	6
Dismissed as improvidently granted	4
Remanded to court of appeals	1
Reversed COA; Affirmed the Trial Court	12
Reversed court of appeals & remanded to court of appeals	29

Reversed court of appeals & remanded to trial court	11
Vacated COA; Remanded COA	8
<b>TOTAL: Granted Petitions for Discretionary Review</b>	<b>101</b>

**Redrawn Petitions for Discretionary Review**

Granted	1
Refused	6
<b>TOTAL: Redrawn Petitions for Discretionary Review</b>	<b>7</b>

**Habeas Corpus & Extraordinary Matters (Filed & Set)**

Habeas corpus relief denied	2
Habeas corpus relief granted	98
HC Relief Granted in Part and Denied in Part	2
Mandamus relief conditionally granted	2
Remanded to the Trial Court	2
<b>TOTAL: Habeas Corpus &amp; Extraordinary Matters (Filed &amp; Set)</b>	<b>106</b>

**Applications for Writ of Habeas Corpus Received**

Abuse of writ order entered	19
Abuse of writ order previously entered	50
Dismissed	81
Dismissed - Art. 11.07, Section 4	443
Dismissed - Art. 11.07, Tex.Gov. Code 501.0081	3
Dismissed - direct appeal pending, no action	47
File and set	94
Habeas corpus denied/dismissed with order	15
Habeas corpus dismissed - community supervision not revoked	14
Habeas corpus dismissed - juvenile matter	3
Habeas corpus dismissed - misdemeanor Offense	2
Habeas corpus dismissed - moot	52
Habeas corpus dismissed - sentence discharged	75
Habeas corpus dismissed - Ybarra	19
Habeas corpus dismissed for non-compliance	237
Habeas corpus dismissed with written order	14
Habeas corpus relief denied on findings of trial court with hearing	38

Habeas corpus relief denied on findings of trial court without hearing	681
Habeas corpus relief denied without written order	524
Habeas corpus remanded application prematurely forwarded	1
Habeas corpus returned to district clerk	2
HC relief denied with written order/opinion	17
HC remanded TC - evidentiary hearing or affidavits	300
Motion for leave to file denied WITHOUT order	7
<b>TOTAL: Applications for Writ of Habeas Corpus Received</b>	<b>2738</b>

#### **11.071 Applications for Writ of Habeas Corpus**

11.071 writ denied with written order	6
Denied/Dismissed with Order	1
Dismissed with written order	11
File and set	2
File and set	3
Granted	1
HC relief denied with written order/opinion	2
ORDER ENTERED	1
Remand trial court w/order Art. 11.071, Sec. 6	4
<b>TOTAL: 11.071 Applications for Writ of Habeas Corpus</b>	<b>31</b>

#### **Original Proceedings - Non Capital**

Dismissed	1
File and set	6
Motion for leave to file denied with written order	5
Motion for leave to file denied without written order	410
Motion for leave to file dismissed - Padilla	35
Motion for leave to file held in abeyance with written order	57
<b>TOTAL: Original Proceedings - Non Capital</b>	<b>514</b>

#### **Original Proceedings - Capital**

Dismissed	1
File and set	1
Motion for leave to file denied without written order	2
Motion for leave to file held in abeyance with written order	2

<b>TOTAL: Original Proceedings - Capital</b>	6
<b>Motions for Reconsideration</b>	
File and set	2
Motion for reconsideration - dismissed	142
Motion for reconsideration - dismissed with written order	1
Motion for reconsideration - habeas corpus relief denied with written order	17
Motion for reconsideration - remanded to trial court for evidentiary hearing/affidavits	2
Motion for reconsideration denied	118
Motion for reconsideration denied with written order	1
Motion for reconsideration granted	24
<b>TOTAL: Motions for Reconsideration</b>	307
<b>Motions for Stay of Execution</b>	
Denied	8
Dismissed	1
Motion for stay of execution granted	3
<b>TOTAL: Motions for Stay of Execution</b>	12

## MANNER OF DISPOSITION: Motions for Rehearing, FY 2022

	<i>With Written Opinion</i>			<i>Without Written Opinion</i>			<b>Total</b>
	<i>Granted</i>	<i>Denied</i>	<i>Dismissed</i>	<i>Granted</i>	<i>Denied</i>	<i>Dismissed</i>	
Rehearing on Direct Appeal	0	0	0	0	2	0	<b>2</b>
Rehearing on Granted Petitions for Discretionary Review	0	0	0	0	16	0	<b>16</b>
Rehearing on Habeas Corpus (filed & set)	0	0	0	0	3	0	<b>3</b>
Rehearing on Refused Petitions for Discretionary Review	0	0	0	0	23	0	<b>23</b>
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>0</b>	<b>44</b>



**OPINION SUMMARY**  
**Direct Appeals, Habeas, Petitions for Discretionary Review**  
**FY 2022**

<i>Judge</i>	<i>Signed Opinions on the Merits</i>	<i>PerCuriam</i>	<i>Concurring</i>	<i>Dissenting</i>	<i>Concurring / Dissenting</i>	<i>Other</i>	<b>TOTAL</b>
Keller	17	9		21	3		50
Hervey	13	10	4				27
Richardson	2	6	3				11
Yeary	9	25	57	30	6		127
Newell	5	11	10				26
Keel	18	14	1	1	1		35
Walker	10	14	3	3		1	31
Slaughter	4	11	4	7	1		27
McClure	14	15					29
<b>TOTAL</b>	<b>92</b>	<b>115</b>	<b>82</b>	<b>62</b>	<b>11</b>	<b>1</b>	<b>363</b>

**PETITIONS FOR REVIEW FILED BY COUNTY  
FY 2022**

<b>County</b>	<b>Filed</b>	<b>Granted</b>	<b>Refused</b>	<b>Dismissed</b>	<b>Untimely</b>	<b>Struck</b>	<b>Other</b>	<b>Total Disposed</b>
Andrews	6	0	6	0	0	0	0	6
Angelina	1	0	1	0	0	0	0	1
Atascosa	1	0	1	0	0	0	0	1
Baylor	0	0	2	0	0	0	0	2
Bee	1	0	1	0	0	0	0	1
Bell	13	0	13	0	0	0	1	14
Bexar	19	0	14	0	0	1	0	15
Bowie	5	0	4	0	0	0	0	4
Brazoria	8	0	9	0	0	0	0	9
Brazos	9	3	7	0	0	0	0	10
Brown	2	0	1	0	0	0	1	2
Burleson	3	0	3	0	0	0	0	3
Burnet	2	0	1	0	0	0	1	2
Caldwell	1	1	0	0	0	0	0	1
Callahan	3	0	1	0	0	0	1	2
Cameron	1	0	3	0	0	0	0	3
Carson	3	0	3	0	0	0	0	3
Cass	3	3	0	0	0	0	0	3
Chambers	1	1	1	0	0	0	0	2
Cherokee	0	0	1	0	0	0	0	1
Childress	1	0	1	0	0	0	0	1
Collin	7	1	8	0	0	0	1	10
Comal	10	0	11	0	0	0	1	12
Comanche	0	0	1	0	0	0	0	1
Cooke	1	0	1	0	0	0	0	1
Coryell	2	0	2	0	0	0	0	2
Dallas	57	7	58	0	0	3	1	69
De Witt	2	0	1	0	0	0	0	1
Denton	8	0	7	0	0	0	0	7
Donley	0	0	3	0	0	0	0	3
Eastland	3	0	3	0	0	0	0	3
Ector	4	0	6	0	0	0	0	6
El Paso	15	0	20	0	0	0	0	20
Ellis	2	0	1	0	0	0	0	1
Erath	1	0	1	0	0	0	0	1
Falls	4	0	2	0	0	0	0	2
Fannin	1	0	2	0	0	0	0	2

Fort Bend	5	0	4	0	0	0	0	4
Gaines	1	1	1	0	0	0	0	2
Galveston	15	1	8	0	0	2	2	13
Gillespie	0	0	2	0	0	0	0	2
Grayson	4	0	4	0	0	0	0	4
Gregg	7	1	2	0	0	1	0	4
Guadalupe	3	0	3	0	0	0	0	3
Hale	1	0	1	0	0	0	0	1
Hall	3	0	2	0	0	0	0	2
Hardeman	1	0	1	0	0	0	0	1
Harris	101	11	103	0	0	1	9	124
Hays	9	1	10	0	0	0	1	12
Hidalgo	5	2	2	0	0	1	0	5
Hill	1	1	1	0	0	0	0	2
Hopkins	6	0	6	0	0	0	0	6
Howard	1	0	1	0	0	0	0	1
Hunt	2	0	3	0	0	0	0	3
Irion	1	0	1	0	0	0	0	1
Jefferson	9	0	9	0	0	0	1	10
Johnson	8	4	6	0	0	0	1	11
Jones	3	0	2	0	0	0	1	3
Karnes	0	0	1	0	0	0	0	1
Kaufman	1	0	1	0	0	0	0	1
Kendall	2	0	1	0	0	0	0	1
Kerr	1	0	1	0	0	0	0	1
Kinney	1	0	1	0	0	0	0	1
Kleberg	3	0	3	0	0	0	0	3
Lamar	4	0	4	0	0	0	0	4
Lamb	1	0	1	0	0	0	0	1
Lampasas	2	0	2	0	0	0	0	2
Leon	3	0	3	0	0	0	0	3
Liberty	7	3	4	0	0	0	0	7
Limestone	6	0	6	0	0	0	0	6
Llano	2	0	1	0	0	0	1	2
Lubbock	4	0	4	0	0	0	0	4
Madison	2	0	2	0	0	0	0	2
Marion	0	0	1	0	0	0	0	1
Martin	1	0	1	0	0	0	0	1
Matagorda	1	0	1	0	0	0	0	1
McLennan	18	2	15	0	0	0	0	17
Menard	0	0	3	0	0	0	0	3

Midland	5	0	4	0	0	0	1	5
Montgomery	19	6	14	0	0	0	1	21
Nacogdoches	1	0	1	0	0	0	0	1
Navarro	1	1	1	0	0	0	0	2
Newton	1	0	1	0	0	0	0	1
Nolan	1	0	1	0	0	0	0	1
Nueces	7	0	9	0	0	0	1	10
Orange	4	0	5	0	0	0	0	5
Palo Pinto	1	0	1	0	0	0	0	1
Parker	2	0	2	0	0	0	0	2
Potter	3	0	3	0	0	0	0	3
Randall	2	0	2	0	0	0	0	2
Red River	1	0	1	0	0	0	0	1
Reeves	1	0	1	0	0	0	0	1
Robertson	2	0	2	0	0	0	0	2
Rockwall	2	0	1	0	0	0	0	1
Runnels	1	0	1	0	0	0	0	1
Rusk	1	0	3	0	0	0	0	3
San Patricio	1	0	1	0	0	0	0	1
Scurry	0	0	1	0	0	0	0	1
Smith	20	0	25	0	0	0	0	25
Starr	3	0	2	0	0	0	1	3
Stephens	1	0	1	0	0	0	0	1
Sterling	1	0	0	0	0	0	0	0
Tarrant	36	2	40	0	0	1	0	43
Taylor	8	1	7	0	0	0	0	8
Throckmorton	1	0	1	0	0	0	0	1
Tom Green	3	1	3	0	0	0	0	4
Travis	17	2	15	0	0	0	0	17
Tyler	2	0	2	0	0	0	0	2
Upshur	0	2	0	0	0	0	0	2
Van Zandt	4	0	4	0	0	0	0	4
Victoria	3	0	3	0	0	0	0	3
Walker	2	0	2	0	0	0	1	3
Waller	1	0	1	0	0	0	0	1
Washington	1	4	1	0	0	0	0	5
Webb	3	1	3	0	0	0	1	5
Wharton	1	0	1	0	0	0	0	1
Wichita	5	1	6	0	0	0	0	7
Wilbarger	1	0	2	0	0	0	0	2
Willacy	4	0	4	0	0	0	0	4

Williamson	8	0	6	0	0	0	1	7
Wilson	1	0	1	0	0	0	0	1
Winkler	3	0	0	0	0	0	0	0
Wise	2	0	4	0	0	0	0	4
Wood	4	0	4	0	0	0	0	4
<b>Total</b>	636	64	621	0	0	10	30	725

**PETITIONS FOR REVIEW FILED BY COURT OF APPEALS  
FY 2022**

<b>Court</b>	<b>Filed</b>	<b>Granted</b>	<b>Refused</b>	<b>Dismissed</b>	<b>Untimely</b>	<b>Struck</b>	<b>Other</b>	<b>Total Disposed</b>	<b>Percentage of Petitions Granted</b>
1st - Houston	58	2	51	0	0	0	2	55	3.6%
2nd - Fort Worth	42	3	47	0	0	1	0	51	5.9%
3rd - Austin	59	5	55	0	0	0	5	65	7.7%
4th - San Antonio	30	1	27	0	0	1	2	31	3.2%
5th - Dallas	75	8	77	0	0	3	2	90	8.9%
6th - Texarkana	34	6	29	0	0	1	0	36	16.7%
7th - Amarillo	33	2	36	0	0	0	1	39	5.1%
8th - El Paso	29	0	30	0	0	0	0	30	0.0%
9th - Beaumont	43	9	35	0	0	0	2	46	19.6%
10th - Waco	51	9	43	0	0	0	2	54	16.7%
11th - Eastland	34	2	34	0	0	0	4	40	5.0%
12th - Tyler	28	0	34	0	0	0	0	34	0.0%
13th - Corpus Christi	39	3	39	0	0	1	1	44	6.8%
14th - Houston	81	14	84	0	0	3	9	110	12.7%
<b>Total</b>	<b>636</b>	<b>64</b>	<b>621</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>30</b>	<b>725</b>	<b>8.8%</b>

**GRANTED PETITIONS FOR REVIEW DISPOSED BY COURT OF APPEALS  
FY 2022**

<b>Opinion Issued</b>	<b>1st</b>	<b>2nd</b>	<b>3rd</b>	<b>4th</b>	<b>5th</b>	<b>6th</b>	<b>7th</b>	<b>8th</b>	<b>9th</b>	<b>10th</b>	<b>11th</b>	<b>13th</b>	<b>14th</b>	<b>Total</b>
Affirmed COA	1		3	1	4		3		9		1		4	26
Affirmed COA & Remanded to the Trial Court								2						2
Affirmed in part and remanded to the Court of Appeals		1												1
COA Affirmed in part, Reversed in part and render an acquittal			1											1
Dismissed									6					6
Dismissed as improvidently granted				1	1				1				1	4
Remanded to COA										1				1
Reversed COA; Affirmed the Trial Court	1		2	2	1			2		1			3	12
Reversed COA; Remanded COA	2	2	2		5	5	2	2		2	2	2	3	29
Reversed COA; Remanded Trial Court	4	1	1	2							1		2	11
Vacated COA; Remanded COA		1			4					3				8
<b>Total</b>	<b>8</b>	<b>5</b>	<b>9</b>	<b>6</b>	<b>15</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>16</b>	<b>7</b>	<b>4</b>	<b>2</b>	<b>13</b>	<b>101</b>