

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 06- 9140

TRANSFER OF CASES FROM COURTS OF APPEALS

ORDERED:

I.

The first 12 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Second Court of Appeals District, Fort Worth, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Tenth Court of Appeals District, Waco, Texas.

II.

The first 20 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Third Court of Appeals District, Austin, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Thirteenth Court of Appeals District, Corpus Christi, Texas.

III.

The first 11 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Fourth Court of Appeals District, San Antonio, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Thirteenth Court of Appeals District, Corpus Christi, Texas.

IV.

The first 20 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Fifth Court of Appeals District, Dallas, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Eighth Court of Appeals District, El Paso, Texas.

V.

The first 6 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Ninth Court of Appeals District, Beaumont, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Seventh Court of Appeals District, Amarillo, Texas.

VI.

The first 10 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Twelfth Court of Appeals District, Tyler, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Seventh Court of Appeals District, Amarillo, Texas.

The next 18 cases, except as otherwise provided by this Order, which are filed in the Court of Appeals for the Twelfth Court of Appeals District, Tyler, Texas, on or after September 1, 2006, are transferred to the Court of Appeals for the Eleventh Court of Appeals District, Eastland, Texas.

For purposes of determining the effective date of transfers pursuant to this order, "filed" in a court of appeals means the receipt of notice of appeal by the court of appeals.

In effectuating this Order, companion cases shall either all be transferred, or shall all be retained by the Court in which filed, as determined by the Chief Justice of the transferring Court, provided that cases which are companions to any case filed before the respective operative dates of transfer specified above, shall be retained by the Court in which originally filed.

It is specifically provided that the cases ordered transferred by this Order shall, in each instance, not include original proceedings; appeals from interlocutory orders; appeals from denial of writs of habeas corpus; appeals in extradition cases; appeals regarding the amount of bail set in a criminal case; appeals from trial courts and pretrial courts in multidistrict litigation pursuant to Rule 13.9(b) of the Rules of Judicial Administration; and those cases that, in the opinion of the Chief Justice of the transferring court, contain extraordinary circumstances or circumstances indicating that emergency action may be required.

The transferring Court of Appeals will make the necessary orders for the transfer of said cases as directed hereby, and will cause the Clerk of that Court to transfer the appellate record in each case, and certify all orders made, to the court of appeals to which the cases are transferred. When a block of cases is transferred, the transferring court will implement the transfer of the case files in groups not less than once a month, or after all the requisite number of cases have been filed. Upon completion of the transfer of the requisite number of cases ordered transferred, the transferring Court shall submit a list of the cases transferred, identified by style and number, to the State Office of Court Administration, and shall immediately notify the parties or their attorneys in the cases transferred of the transfer and the court to which transferred.

The provisions of Misc. Docket Order No. 06-9136 shall apply.

SIGNED this 28th day of September, 2006.

Wallace B. Jefferson
Wallace B. Jefferson, Chief Justice

Nathan L. Hecht
Nathan L. Hecht, Justice

Harriet O'Neill
Harriet O'Neill, Justice

J. Dale Wainwright
J. Dale Wainwright, Justice

Scott Brister
Scott Brister, Justice

David M. Medina
David M. Medina, Justice

Paul W. Green
Paul W. Green, Justice

Phil Johnson
Phil Johnson, Justice

Don R. Willett
Don R. Willett, Justice