

COURT OF CRIMINAL APPEALS
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COURT OF CRIMINAL APPEALS RULES, PROCEDURES AND INSTRUCTIONS

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CCA Internal Operating Procedures



Court of Criminal Appeals

State of Texas

Supreme Court Building
201 W. 14th Street, Room 106
Austin, TX 78701
(512) 463-1551

In 2004, the Appellate Section of the State Bar of Texas and the Court of Criminal Appeals worked together to identify key information needed by appellate attorneys and pro se litigants to practice effectively before the court. To assist the court in this effort, the Appellate Section collected and formatted the relevant information and published it originally in the Appellate Advocate in February 2005.

Internal Operating Procedures – Court of Criminal Appeals (Revised January 1, 2025)

Court Information

1. Address: Court of Criminal Appeals, P.O. Box 12308, Austin, TX 78711 (U.S. Mail) or 201 W. 14th St., Supreme Court Bldg., Room 106, Austin, TX 78701 (Commercial Carrier, ie: Fed Ex, UPS, etc.)
2. Telephone numbers: Phone: (512) 463-1551; Fax: (512) 463-7061
3. Website address: <http://www.txcourts.gov/cca>
4. Judges: Presiding Judge David Schenck, Serving Judges, Bert Richardson, Kevin P. Yeary, David Newell, Mary Lou Keel, Scott Walker, Jesse F. McClure, III, Lee Finley, and Gina Parker.
5. Clerk of the Court: Deana Williamson
6. Local Rules: Paper copies of electronically filed documents are no longer required. [Misc. Docket Order 21-002](#)

FILINGS

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
Electronic Filing	Attorneys are required to file documents electronically through http://www.efiletexas.gov/ see information on E-Filing			T.R.A.P. 9.2(c)
Motion for Extension of Time	File electronically. Pro se appellants are permitted to file by mail.	First motions for extension of time are usually granted. Motions for extension of time must comply with TRAP 10.5(b) and 68.2(c).		T.R.A.P. 68.2(c)

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PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
Briefs	File electronically.		Briefs must comply with TRAP 38 and 71.3 Amendment and supplementation is allowed only with leave of Court.	T.R.A.P. 38.6 70 71.3
PDR	File electronically. Pro se appellants are permitted to file by mail.			T.R.A.P. 68 Record will be forwarded by the COA
Oral Argument	N/A	The Court will designate whether a case requires oral argument. Notification of such designation shall be sent to counsel along with notification of submission. If counsel desires oral argument and the Court has not so designated the case, counsel may petition the Court within 30 days of the submission notification.	The total maximum time for oral argument is 20 minutes per side. If a motion for rehearing is granted and the cause re-submitted, oral argument is limited to 15 minutes per side	Additional citations should not be made orally during argument, but should be reduced to writing and filed with the Clerk.
Opinions			Opinions and Orders are released Wednesday mornings at 9:00 a.m.	
Motions for Rehearing	File electronically. Pro se appellants are permitted to file by mail.			T.R.A.P. 79
Extraordinary Matters	File electronically. Pro se applicants are permitted to file by mail.			T.R.A.P. 72.1

Technology

1. Westlaw and Lexis are both available to the Court.
2. The Court does not accept fax or email filings.
3. The orders and opinions of the Court are posted to the web and can be searched at this URL:
<http://www.search.txcourts.gov/CaseSearch.aspx?coa=coscca&s=c>
4. The Court makes recordings of oral arguments available on CD-Rom for \$5.

COURT OF CRIMINAL APPEALS

RULES, PROCEDURES AND INSTRUCTIONS

Chart Regarding Legal And Factual Sufficiency – *Matlock v. State*, 392 S.W.3d 662 (Tex. Crim. App. 2013)

APPENDIX: CHART REGARDING LEGAL AND FACTUAL SUFFICIENCY – *Matlock v. State*, 392 S.W.3d 662 (Tex. Crim. App. 2013)

APPENDIX

CLAIM	BASIS	PROOF REQ'D	REMEDY
SUFFICIENCY to support conviction	Federal Constitution <i>Jackson v. Virginia</i>	Viewing the evidence in the light most favorable to the verdict whether any rational trier of fact could find the essential elements beyond a reasonable doubt.	Acquittal
LEGAL SUFFICIENCY to reject defendant's affirmative defense	No evidence; legally insufficient evidence as a matter of law <i>Sterner v. Marathon Oil</i>	2-step modified <i>Sterner</i> test: 1. Search for evidence supporting finding; ignoring contrary evidence unless unreasonable to do so. If more than a scintilla, evidence is legally sufficient. If not, 2. Determine if evidence is so conclusive that the defendant's claim was established as matter of law.	Acquittal
FACTUAL SUFFICIENCY to reject defendant's affirmative defense	Finding against the great weight and preponderance of the evidence (bias, manifestly unjust, conscience-shocking) <i>Pool v. Ford Motor Co.</i>	1. Set out all relevant evidence, viewing it in a neutral light, but deferring to the jury's weight and credibility choices. 2. Explain precisely how the contrary evidence outweighs. 3. Document why the verdict is so much against the great weight of the evidence.	New Trial