

Art. 11.07 Writs of Habeas Corpus and Other State Writs

Michael F. Stauffacher
Supervising Attorney,
Post-Conviction Writs
Texas Court of Criminal Appeals

Court of Criminal Appeals Staff

- ✦ Petitions for Discretionary Review
- ✦ Death Penalty Direct Appeals and Death Penalty Habeas
- ✦ Post-Conviction Writs (non-death penalty)

Filings – FY 2017

- ✦ 11.07 New Filings – 3,917
- ✦ 11.07 Disposed Filings – 3,941
- ✦ 11.07s Back from Remand - 425
- ✦ New Cert. Petitions – 4
- ✦ Original Habeas, New – 58
- ✦ Original Habeas, Back from Remand - 0
- ✦ Mandamus Actions, New – 436
- ✦ Mandamus, Back from Remand - 84
- ✦ Prohibition Actions, New – 7
- ✦ Procedendo Actions, New - 1

Habeas Corpus applications fall under Chapter 11 of the Texas Code of Criminal Procedure

Article 11.01 defines the writ as follows:

The writ of habeas corpus is the remedy to be used when any person is restrained in his liberty. It is an order issued by a court or judge of competent jurisdiction, directed to any one having a person in his custody, or under his restraint, commanding him to produce such person, at a time and place named in the writ, and show why he is held in custody or under restraint.

Chapter 11 provides for different kinds of writs

- Article 11.071
- Article 11.072
- Article 11.08
- Article 11.09
- Article 11.07

DON'T GET "TRAPPED"

Rule 73.1

- Applicant has exceeded the two pages allowed for each ground for relief and supporting facts.
- Applicant has filed a computer generated memorandum that exceeds the 15,000 word limit and the trial court has not granted leave to exceed the prescribed limit.
- Applicant has filed a non-computer generated memorandum that exceeds 50 pages in length and the trial court has not granted leave to exceed the prescribed limit.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: A Guide To Art. 11.07 Writs of Habeas Corpus and Other State Writs

Also available as part of the eCourse

[Answer Bar: How to Survive a Criminal Appeal](#)

First appeared as part of the conference materials for the
2018 Robert O. Dawson Conference on Criminal Appeals session
"A Guide To Art. 11.07 Writs of Habeas Corpus and Other State Writs"