Article 11.07
Habeas Corpus Applications

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What we're doing

1. New stuff!
2. Nuts and bolts of 11.07 habeas corpus procedure
3. CCA Procedure
4. "Defensive Issues"
5. Focusing on the facts

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Disclaimer

I speak for myself, and not for Judges, Clerk, General Counsel, or other lawyers at the Court of Criminal Appeals.

What is habeas corpus?

- Touchstone principle: legal tool for challenging jailer's authority to restrain someone.

All kinds of writs . . .

- Test the legality of confinement
  - Bail
  - Authority to hold
- Pretrial uses
  - Shut down prosecution.
- Contempt of court

Post Conviction Collateral Attack!

- Code of Criminal Procedure divides up and channels constitutional and statutory grants of criminal law habeas corpus authority.
- More specifics to come, but the Code gives specific, detailed procedures for post conviction habeas corpus in final felony convictions (11.07) and final felony convictions with death sentences (11.071).

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