

Appellate Advocacy in the TxCCA

by Mary Lou Keel



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Operating in the Margins

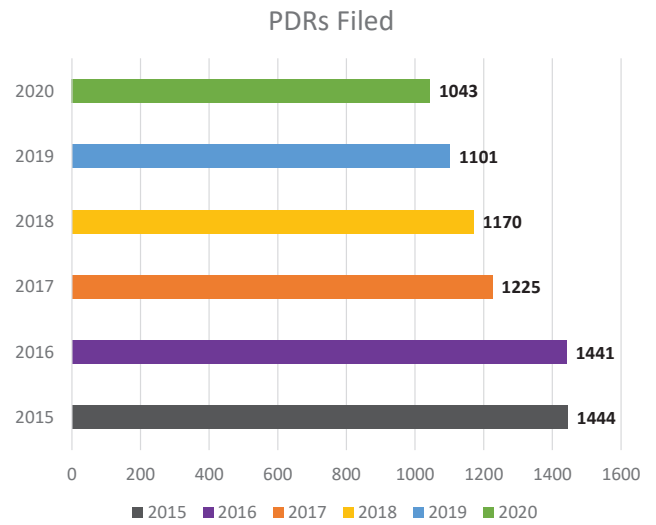
- PDRs/Replies to PDRs
- Briefing errors
- Oral argument
- 11.07 claims and answers



2

Your PDR: A Needle in a Shrinking Haystack

PDRs down by 27%



3



Frivolous PDRs
Defined

- Lack broader significance for the State's criminal jurisprudence
- Usually fact intensive

4

Avoid the Frivolous Pile

TRAP 66.3—Reasons for review

Focus on the COA opinion:

Degrate v. State, 712 S.W.2d 755
(Tex. Crim. App. 1986)

5

Departure from Accepted Course:

- Wrong standard of review
- Misread the record
- Skipped a step in the analysis



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