

32nd Annual Conference on State and Federal Appeals

Statutory Stays, Rule 29.3 Orders, and Other Short-Term Fixes

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The Alamo Hypo



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The *Geomet* Problem

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“If EMR actually had no recourse for the preservation of its rights during an interlocutory appeal, we would need to address its argument that such an arrangement raises serious constitutional questions.”

578 S.W.3d at 89

The Geomet Problem

In re State Bd. for Educator Cert.,
452 S.W.2d 802, 809 (Tex. 2014)

The Geomet Problem

“This case does not delve into the underlying merits, which remain at the court of appeals. The issue presented is innately and exclusively procedural: Do governmental entities have an absolute, overriding right to supersedeas that nullifies trial-court discretion? We answer no.”

In re State Bd. for Educator Cert.,
452 S.W.2d 802, 809 (Tex. 2014).

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