Navigating Supersedeas in Texas and Federal Courts

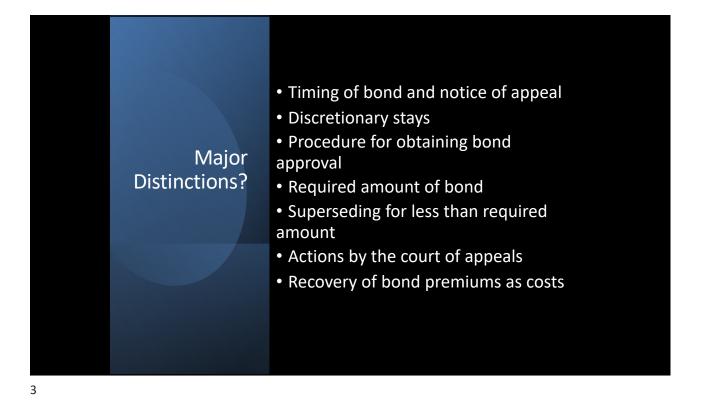
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Automatic 30-day stay - FRCP 62(a) Exceptions:

- Injunctions
- Receivership actions
- Patent-accounting actions

Court has discretion to stay in these instances After 30 days, jmt subject to

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Need to File Notice of Appeal Before Superseding?

Texas – No

execution

- But cannot supersede a judgment that is not going to be appealed
- If ultimately no timely notice of appeal judgment cannot be superseded

Federal – No (as of 2018)

 FRCP 62(b) – "At any time after judgment is entered, a party may obtain a stay by providing a bond or other security." Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

Title search: Navigating Supersedeas in Texas and Federal Courts

Also available as part of the eCourse 2023 eConference on State and Federal Appeals

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