

**IN THE
TEXAS COURT OF CRIMINAL APPEALS**

PETITION REQUESTING THAT
THE TEXAS COURT OF CRIMINAL APPEALS
PERMIT E-FILING IN DEATH PENALTY CASES

The undersigned Petitioners request that the Texas Court of Criminal Appeals adopt a rule permitting e-filing of petitions, motions, and other papers in death-penalty cases. As shown by the recent case of Michael Richard, when and how papers are filed with this Court can be a matter of life and death. Because of a computer problem, Mr. Richard's counsel were unable to file papers by 5:00 p.m., and, according to published reports, Presiding Judge Sharon Keller denied their request that the court remain open for an additional twenty minutes to permit the filing. As a consequence, Mr. Richard was executed.

To help avoid a recurrence of such a tragic, unnecessary execution, Petitioners ask the Court to adopt a rule to permit e-filing (filing by electronic means), to facilitate and expedite the filing of papers in death-penalty cases. Many courts permit e-filing—some even require it—and in death penalty cases that procedure can speed up both filing and court consideration. This Court has authority to adopt such rules pursuant to Government Code § 22.108, which permits this court to “promulgate rules of posttrial, appellate, and review procedure in criminal cases”

Respectfully submitted,

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