

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS AT HOUSTON

O.D. Van Duren, Jr. v. State

Van Duren v. State · No. 01-13-00103-CR · Decided February 20, 2014

SUMMARY

The Texas Court of Appeals for the First District of Houston granted the appellant's motion concerning his appellate brief. The court suspended the requirement to file five copies under Texas Rule of Appellate Procedure 9.3(a)(1) and deemed the appellant's pro se brief to be his appellate brief.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas at Houston
WRITING FOR THE COURT	Jane Bland
JURISDICTION	Texas
DECIDED	February 20, 2014
DOCKET	01-13-00103-CR
DISPOSITION	other
PROCEDURAL POSTURE	Appellant moved to suspend the requirement that he file five copies of his appellate brief and to have his pro se brief accepted as his appellant's brief.
PRECEDENTIAL VALUE	Published
PARTIES	O.D. Van Duren, Jr. v. The State of Texas

TOPICS

appellate procedure

criminal procedure

PRACTICE AREAS

appellate procedure

criminal procedure

QUESTIONS PRESENTED

1. Whether the court should suspend the requirement that appellant file five copies of his appellate brief.
2. Whether appellant's pro se brief should be deemed his appellant's brief.

HOLDINGS

1. The court suspended the requirement under Texas Rule of Appellate Procedure 2.
2. The court deemed appellant's pro se brief to be his appellant's brief.

KEY QUOTATIONS

“The requirement that appellant file five copies of his appellant’s brief with this Court under Texas Rule of Appellate Procedure 9.3(a)(1) is suspended.” (Order)

“Appellant’s pro se brief is deemed to be his appellant’s brief.” (Order)

FACTUAL BACKGROUND

O.D. Van Duren, Jr., proceeding pro se, filed a motion requesting that the court suspend the requirement to file five copies of his appellate brief. He also requested that the court accept his pro se brief as his appellant's brief.

PROCEDURAL HISTORY

The appeal was pending in the Court of Appeals for the First District of Texas. On January 29, 2014, appellant filed a motion relating to his appellate brief. The court granted the motion by order dated February 20, 2014.

DISPOSITION

other