

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK OF COURT

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June 9, 2008

Mr. David J. Maland
Clerk, Texas Eastern District
106 William M. Steger Federal Building
211 West Ferguson St.
Tyler, TX

Via E-mail: David_Maland@txed.uscourts.gov

Dear Mr. Maland:

At its May 2008 court meeting, the United States Court of Appeals for the Fifth Circuit approved a revision to the court's "Plan for Expediting Criminal Appeals." You can find the Plan at the following link to our website.

<http://www.ca5.uscourts.gov/clerk/docs/08planexpkrimappeals.pdf>

Simply stated, this court's goal is to improve the processing of criminal cases from the filing of the notice of appeal to the filing of the last brief. Although we have a statutory mandate, and a court policy, to decide criminal cases expeditiously, our processing times for filing criminal briefs is worse than any other category. Based on the most recent Administrative Office of the U.S. Courts statistics, we exceed the national average times for filing criminal briefs by nearly **1.5 months**. While we have the largest number of criminal appeals nationally, we trail the other large volume criminal case jurisdictions by a significant margin. Other courts who closed over 1200 criminal appeals during the reporting period filed briefs in an average of less than **6 months**. In our court the time was **8.1 months**, over two months longer than other high volume courts.

Please note and comply with the specific responsibilities placed on district court judges, clerks of court, counsel, and court reporters. We know we can improve the administration of justice in this circuit with your attention to the standards in our revised Plan. Please take the time to read it and follow its mandates.

Please relay this message to anyone in your office who works on criminal appeals.

Sincerely,



Charles R. Fulbruge III
Clerk of Court