

# Writ of Certiorari Research Guide

## Overview

This research guide includes information and resources on writ of certiorari. Certiorari is “an extraordinary writ issued by an appellate court, at its discretion, directing a lower court to deliver the record in the case for review.” (*Black Law Dictionary*, 11<sup>th</sup> ed.) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Civil Practice and Remedies Code

- §51.002 Certiorari from Justice Court  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.51.htm#51.002>
- §51.011 Appeal from County or District Court after Certiorari from Justice Court  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.51.htm#51.011>

Texas Rules of Civil Procedure

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 506.4 Writ of Certiorari

Texas Rules of Appellate Procedure

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 18.2 Stay of Mandate (Supreme Court)
- Rule 72.1 Leave to File (Extraordinary Matters)
- Rule 72.2 Disposition

## Secondary Resources in Print

**West's Texas Forms REF KFT 1268 .W47**

- Vol. 5, Ch. 35 Proceedings in and Appeals from Justice Courts

**Texas Forms Pleading and Practice REF KFT 1730 .A65 T482**

- Vol. 3A, Ch. 60 Certiorari

**Texas Litigation Guide REF KFT 1730 .T4**

- Vol. 3, Ch. 46 Justice Court Proceedings §46.30 Writ of Certiorari

**Texas Practice Series REF KFT 1280 .T4**

- Probate, Vol. 17, Ch. 6 Sec. B Certiorari §120-127
- Probate, Vol. 18, §971 Effect of the Sale of Real Estate for Non-authorized Purposes
- Probate, Vol. 18, §979 Effect of Irregularities in the Order of Sale
- Probate, Vol. 18, §1112 District Court Review of Probate Court Action Regarding Final Settlement

**Carlson's Texas Rules of Appellate Procedure Annotated REF KFT 1755 .A34H36**

- Rule 18.2 Stay of Mandate (Supreme Court)
- Rule 72.1 Leave to File (Extraordinary Matters)
- Rule 72.2 Disposition

## CLE Materials

**Oil and Gas Disputes KFT 1458 .L4 O28**

- 2022 Ch. 3 Discovery Update: What's New and a Quick Review – Section II. A. 4. Rule 506.4 – Writ of Certiorari

## Advanced Civil Appellate Practice Course KFT 1755 .A75S7

- 2021 Ch. 5 Getting and Keeping Appellate Jurisdiction – Section II. C. The Supreme Court Can Dismiss Your Case As “Improvidently Granted”

### Online Resources

Civil Deskbook (TJCTC) <https://www.tjctc.org/tjctc-resources/deskbooks.html>

- Ch. 9 Other Post-Judgment Remedies, Section A. Writ of Certiorari

Appealing a Justice Court Case (Texas Law Help)  
<https://texaslawhelp.org/guide/appealing-a-justice-court-case>

### Legal Assistance

#### Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up  
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up  
<https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)