

ATTACHMENT A

Rule 52A. Other Original Actions in the Supreme Court

52A.1 Application of Rule This rule applies to an action invoking the Supreme Court's exclusive, original jurisdiction as provided by statute.

52A.2 Procedure in Original Actions Except as provided by this rule or by court order, original actions shall be governed by the procedures in Appellate Rule 52.

52A.3 Record in Original Action

(a) *Relator's Proof.* In addition to the items delineated in Appellate Rule 52.7, the relator may file:

- (1) a stipulation or partial stipulation of facts;
- (2) authenticated or certified public records and
- (3) affidavits of the type and in the form provided for by Texas Rule of Civil Procedure 166a, in support of the relief sought in the petition.

(b) *Respondent's Proof.* Respondents may supplement the record as provided by Appellate Rule 52.7 and may serve objections to the relator's proof, opposing affidavits or other evidence contesting the relator's right to relief.

(c) *Special Master.* At any time during the pendency of an original action, the Court may appoint a special master to preside over the conduct of pretrial discovery described in the order, to take such evidence as may be

necessary to resolve factual issues and to report the master's findings and conclusions to the Court. The Court's order appointing the special master must identify the factual issues to be resolved by the master. The order may also establish time deadlines for decision and modify the rules of procedure and discovery as necessary to accommodate the deadlines. [The Court may confirm, modify, correct, reject, reverse or recommit the master's report in resolving the dispute.]