

**STANDING ORDER REGARDING MOTIONS FOR SUMMARY  
JUDGMENT FILED IN THE 33<sup>rd</sup> JUDICIAL DISTRICT COURT,  
THE 424<sup>th</sup> JUDICIAL DISTRICT COURT AND THE BURNET  
COUNTY COURT AT LAW**

(Pursuant to House Bill 16 and Rule 166a, Texas Rules of Civil Procedure)

**INTRODUCTION**

This Order governs all Motions for Summary Judgment (“MSJ”), including traditional motions under Rule 166a(c) and no-evidence motions under Rule 166a(i), as amended.

The 33rd Judicial District Court, the 424th Judicial District Court, and the Burnet County Court at Law hereby adopt this Standing Order governing the filing, submission, hearing, and disposition of Motions for Summary Judgment under Texas Rule of Civil Procedure 166a, including traditional and no-evidence motions. This Order is intended to ensure uniform docket management, compliance with applicable statutory and rule-based deadlines, and the orderly and efficient disposition of summary-judgment matters within these courts.

This Standing Order applies to all civil cases pending or hereafter filed in the above-referenced courts unless otherwise ordered in a specific case.

The District Clerk and the County Clerk shall, as part of their administrative processing of filings, promptly provide notice and transmit copies of any filed Motion for Summary Judgment to the Court Coordinator of the court in which the case is pending, so that the matter may be timely scheduled and managed in accordance with this Standing Order.

**I. HEARING SETTINGS**

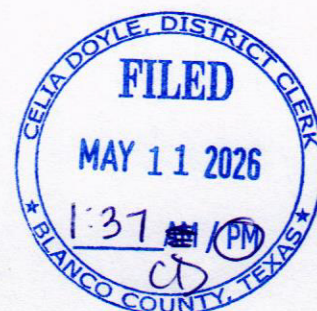
**A. Scheduling Window**

1. Upon filing of a Motion for Summary Judgment, the Court will schedule a hearing at the first available date occurring no earlier than thirty-five (35) days after the date of filing and no later than sixty (60) days from the date of filing.

2. If required by docket constraints, for good cause shown or upon agreement of the movant the hearing may be scheduled up to ninety (90) days from the date of filing, but not beyond that time.

**B. Oral Argument and Definition of Hearing Date**

Any request for oral argument must be made in writing at least seven (7) days prior to the hearing date and must be e-filed and served on all parties. Oral argument will be strictly



limited to 30 minutes per side. If oral argument is timely requested the hearing date is the date of oral argument. If no oral argument is requested, the hearing date is the date the Court considers the motion by written submission and no appearances will be required.

## **II. NOTICE AND RESPONSE DEADLINES**

A. Response. Except on leave of Court, the non-movant's response and summary-judgment evidence must be filed and served within twenty-one (21) days after the Motion for Summary Judgment is filed.

B. Reply. Except on leave of Court, the movant may file and serve a reply within seven (7) days after the non-movant's response is filed.

C. Late Filings. Late filings will not be considered absent leave of Court.

## **III. PROPOSED ORDERS**

All parties shall e-file proposed orders prior to the hearing or submission date.

## **IV. COURT'S RULING DEADLINES**

The Court will sign a written order resolving the MSJ and file it with the clerk no later than ninety (90) days from the date of the hearing.

## **V. NO-EVIDENCE MOTIONS — ADEQUATE TIME FOR DISCOVERY**

For purposes of Rule 166a(i), an adequate time for discovery is presumptively satisfied after the later of:

1. Nine (9) months from the date of the first appearance by the responding party; or
2. The close of the applicable discovery period.

This presumption may be rebutted or modified by the Court for good cause shown.

## **VI. ADEQUATE-TIME-FOR-DISCOVERY DOCKETING STATEMENT**

Any no-evidence motion for summary judgment must be accompanied by a separate Adequate-Time-for-Discovery Docketing Statement which shall affirmatively state that one of the presumptive discovery thresholds has been met or set forth specific grounds explaining why an adequate time for discovery has otherwise passed.

## **VII. RESPONSE TO DOCKETING STATEMENT**

The non-movant shall have ten (10) days from the date the docketing statement and no evidence motion are filed to file a written response contesting the contents of the docketing statement. If no response is timely filed, the Court will deem the docketing statement uncontested.

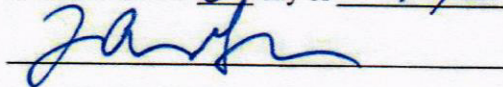
**VIII. AUTOMATIC ABATEMENT OF PREMATURE NO-EVIDENCE MOTIONS**

A no-evidence motion filed before adequate discovery is met or without a docketing statement is automatically abated. While abated, the motion is not ripe for consideration and House Bill 16 and Rule 166a, Texas Rules of Civil Procedure time standards will not apply. The Court will issue a written order of abatement and once abated, the filing party must file a motion seeking to reinstate the no evidence motion for summary judgment once an adequate time for discovery has run. If a motion is abated, the hearing date will be removed from the docket.

**IX. CONTINUANCES**

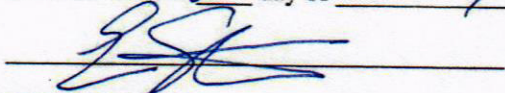
Continuances of MSJ hearings will not be granted absent compelling evidence demonstrating good cause as outlined under a sworn motion for continuance.

SIGNED on this 6<sup>th</sup> day of ~~April~~ MAY, 2026.



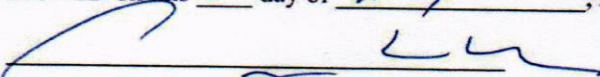
**ALLAN GARRETT  
JUDGE PRESIDING  
33<sup>rd</sup> JUDICIAL DISTRICT COURT**

SIGNED on this 6<sup>th</sup> day of May, 2026.



**EVAN STUBBS  
JUDGE PRESIDING  
424<sup>th</sup> JUDICIAL DISTRICT COURT**

SIGNED on this 6<sup>th</sup> day of May, 2026.



**CODY HENSON  
JUDGE PRESIDING  
BURNET COUNTY COURT AT LAW  
BURNET COUNTY, TEXAS**