

CAUSE NO. D-1-FM-12-000123

IN THE INTEREST OF:	§	IN THE DISTRICT
	§	COURT OF
BEN HARRIS,	§	SAN GABRIEL COUNTY
ROBERT PRICE,	§	TEXAS
ROSE PRICE,	§	499TH JUDICIAL
CHILDREN	§	DISTRICT

EX-PARTE ORDERS

On this 1st day of January 2012, there was presented to me in Chambers Petitioner's application for Temporary Orders in the above-entitled and numbered cause. The Court finds, that it has jurisdiction of this cause under the provisions of the Texas Family Code, and finds that there is an immediate danger to the physical health or safety of the Children, BEN HARRIS, ROBERT PRICE, and ROSE PRICE or the Children have been victim of neglect or sexual abuse and that continuation in the home would be contrary to the Children's welfare; there is no time, consistent with the physical health or safety of the Children, for a full adversary hearing under Subchapter C; and reasonable efforts, consistent with the circumstances and providing for the safety of the Children were made to prevent or eliminate the need for removal of the Children. The Court further finds, that Petitioner has the authority to take possession of the Children; therefore, there is an immediate need for the issuance of Temporary Orders governing the placement and care of the Children pending a hearing in this matter. The Court further finds that removal of the Children from the home is in the best interest of the Children.

IT IS THEREFORE ORDERED:

That the Texas Department of Family and Protective Services, Petitioner herein, is given Temporary Managing Conservatorship of the subject Children, BEN HARRIS, ROBERT PRICE, and ROSE PRICE, until a hearing can be held. The Texas Department

of Family and Protective Services shall have only the following rights, privileges, duties and powers pending such hearing:

1. the right to have physical possession of the subject Children;
2. the duty of care, control, protection, and reasonable discipline of the subject Children;
3. the duty to provide the subject Children with clothing, food, and shelter; and
4. the power to consent to medical and surgical treatment for the health and safety of the subject Children.

That all injunctions or writs necessary to secure the physical possession of the Children shall be issued by the Clerk of the Court, as often and as many as necessary.

IT IS FURTHER ORDERED that Children's Attorney be **APPOINTED** as Attorney/Guardian *ad Litem* for the Children, BEN HARRIS, ROBERT PRICE, and ROSE PRICE and shall have the right of access to medical, dental, educational, psychiatric, and mental health records of the Children to the same extent as a parent or Managing Conservator.

IT IS FURTHER ORDERED that the appointed Attorney/Guardian ad Litem may serve an answer or other pleading required to be served under Rule 21, Texas Rules of Civil Procedure, by mailing such notice or pleading to the opposing party or attorney by first class mail, and by providing proof of service in the format, and containing the information required by Rule 9.5, Texas Rules of Appellate Procedure.

IT IS FURTHER ORDERED that KATHY PRICE, JASON HARRIS, and ERNIE PRICE, Respondents appear at the San Gabriel County, Texas Courthouse on the 13th day of January 2012, at 9:00 A.M., to show cause, if any there may be, why the Petitioner herein should not be named as the Temporary Managing Conservator of the

subject Children, BEN HARRIS, ROBERT PRICE, and ROSE PRICE and why Respondents should not be ordered to pay child support pendente lite, pending further hearing in this cause.

IT IS FURTHER ORDERED that KATHY PRICE, JASON HARRIS, and ERNIE PRICE, Respondents appear at the time and on the date shown above, prepared to indicate to the Court whether or not they are able to retain an attorney, or desire to have an attorney appointed to represent them, or desire to waive their right to counsel.

IT IS FURTHER ORDERED that the District Clerk of San Gabriel County, Texas maintain confidential records in this cause.

SIGNED the 1st day of January 2012, in Chambers at 11:30 a.m.

Robert Hofmann
JUDGE PRESIDING