

JUN 10 2010 JA

At 2:02 P.M.
Amalia Rodriguez-Mendoza, Clerk

CAUSE NO. D-1-FM-10-0333

IN THE INTEREST OF

HANNAH ELIZABETH MORGAN,

A CHILD

§
§
§
§
§

IN THE DISTRICT COURT

345 JUDICIAL DISTRICT

TRAVIS COUNTY, TEXAS

ORIGINAL PETITION IN SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP

1. *Discovery Level*

Discovery in this case is intended to be conducted under level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. *Objection of Assignment of Case to Associate Judge*

Petitioner objects to the assignment of this matter to an associate judge for a trial on the merits or presiding at a jury trial.

3. *Parties*

This suit is brought by JOSHUA MORGAN, Petitioner. The last three numbers of Petitioner's driver's license are 548. The last three numbers of Petitioner's Social Security number are 333.

Respondent, KRISTIN MORGAN, is the mother of the child the subject of this suit.

Petitioner has standing to bring this suit in that Petitioner is the father of the child the subject of this suit.

4. *Jurisdiction*

No court has continuing jurisdiction of this suit or of the child the subject of this suit.

5. *Child*

The following child is the subject of this suit:

Name: Hannah Elizabeth Morgan
Sex: female
Birth date: 12/29/09
County of Residence: Travis County, Texas

6. *Person Entitled to Citation*

The mother of the child the subject of this suit is KRISTIN MORGAN. Process should be served at Respondent's current location, her parents' home, at 224 Lakeshore Drive, Manorville, Tennessee 37807. KRISTIN MORGAN has removed herself and the child to this address, and Petitioner has reason to believe this is where she is and intends to stay.

There are no court-ordered conservatorships, court-ordered guardianships, or other court-ordered relationships affecting the child the subject of this suit.

7. *Property*

No property of consequence is owned or possessed by the child the subject of this suit.

8. *Conservatorship*

The parents of the child are or will be separated. The appointment of the parents as joint managing conservators would be in the best interest of the child. It is in the best interest of the child that Petitioner and Respondent be appointed joint managing conservators of the child.

Petitioner should be designated as the conservator who has the exclusive right to designate the primary residence of the child.

9. *Request for Bond*

Respondent may violate the Court's order relating to Petitioner's possessory interest in the child. Petitioner requests the Court to order Respondent to execute a bond or deposit security in a reasonable amount, conditioned on Respondent's compliance with the Court's orders concerning possession of and access to the child.

10. *Support*

Respondent is obligated to support the child and should be ordered by the Court to make payments for the support of the child and to provide medical child support in the manner specified by the Court.

11. *Request for Temporary Orders*

Petitioner requests the Court, after notice and hearing, to make temporary orders and issue any appropriate temporary injunctions for the safety and welfare of the children the subject of this suit as deemed necessary and equitable, including but not limited to the following:

- a. Appointing Petitioner and Respondent temporary joint managing conservators and designating Petitioner as the conservator who has the exclusive right to designate the primary residence of the child.

- b. Enjoining Respondent from removing the child beyond a geographical area identified by the Court, acting directly or in concert with others.
- c. Ordering the parties to attend a parent education and family stabilization course.

12. Request for Attorney's Fees, Expenses, Costs, and Interest

It was necessary for Petitioner to secure the services of Carly Gallagher, a licensed attorney, to preserve and protect the child's rights. Respondent should be ordered to pay reasonable attorney's fees, expenses, and costs through trial and appeal, and a judgment should be rendered in favor of this attorney and against Respondent and be ordered paid directly to Petitioner's attorney, who may enforce the judgment in the attorney's own name. Petitioner requests postjudgment interest as allowed by law.

13. Prayer

Petitioner prays that citation and notice issue as required by law and that the Court enter its orders in accordance with the allegations contained in this petition.

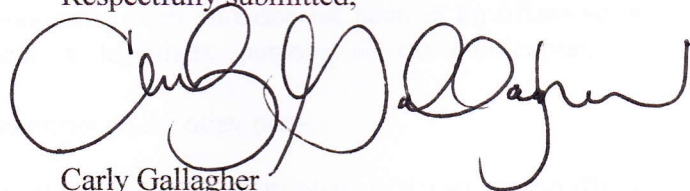
Petitioner prays that the Court, after notice and hearing, grant a temporary injunction enjoining Respondent, in conformity with the allegations of this petition, from the acts set forth above while this case is pending.

Petitioner prays that, on final hearing, the Court enter a permanent injunction enjoining Respondent, in conformity with the allegations of this petition, from the acts set forth above.

Petitioner prays for attorney's fees, expenses, costs, and interest as requested above.

Petitioner prays for general relief.

Respectfully submitted,



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(512) 633-2204 (voice)
(866) 611-4045 (facsimile)
Carly@CarlyLaw.com
ATTORNEY FOR PETITIONER

TRAVIS COUNTY DISTRICT CLERK'S
FILE NO. 121,012
(LOCAL RULES AND GENERAL ORDERS)

TRAVIS COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY AND
CONDUCT OF THE PARTIES

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Travis County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Travis County. The District Courts of Travis County have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the court. Therefore, it is ORDERED:

1. NO DISRUPTION OF CHILDREN. Both parties are ORDERED to refrain from doing the following acts concerning any children who are subjects of this case:

- 1.1 Removing the children from the State of Texas, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
- 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled, without the written agreement of both parents or an order of this Court.
- 1.3 Hiding or secreting the children from the other parent or changing the children's current place of abode, without the written agreement of both parents or an order of this Court.
- 1.4 Disturbing the peace of the children.

2. CONDUCT OF THE PARTIES DURING THE CASE. Both parties are ORDERED to refrain from doing the following acts:

- 2.1 Using vulgar, profane, obscene, or indecent language, or a coarse or offensive manner, to communicate with the other party, whether in person, by telephone, or in writing.
- 2.2 Threatening the other party in person, by telephone, or in writing to take unlawful action against any person.
- 2.3 Placing one or more telephone calls, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
- 2.4 Opening or diverting mail addressed to the other party.

3. PRESERVATION OF PROPERTY AND USE OF FUNDS DURING DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- 3.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.

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CLERK

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- 3.2 Misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any property of one or both of the parties.
 - 3.3 Damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value.
 - 3.4 Tampering with the tangible property of one or both of the parties, including any document that represents or embodies anything of value, and causing pecuniary loss to the other party.
 - 3.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real estate property, and whether separate or community, except as specifically authorized by this order.
 - 3.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
 - 3.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
 - 3.8 Spending any sum of cash in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
 - 3.9 Withdrawing or borrowing in any manner for any purpose from any retirement, profit-sharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account, except as specifically authorized by this order.
 - 3.10 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, such as tax refunds, insurance payments, and dividends, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
 - 3.11 Taking any action to terminate or limit credit or charge cards in the name of the other party.
 - 3.12 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
 - 3.13 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending.
 - 3.14 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or other contractual services, such as security, pest control, landscaping, or yard maintenance at the other party's residence or in any manner attempting to withdraw any deposits for service in connection with such services.
4. PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:
- 4.1 Concealing or destroying any family records, property records, financial records, business records or any records of income, debts, or other obligations.
 - 4.2 Falsifying any writing or record relating to the property of either party.
 - 4.3 "Records" include e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device.

5. INSURANCE IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- 5.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party, except as specifically authorized by this order.
- 5.2 Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children.
- 5.3 Canceling, altering, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties' property of persons including the parties' minor children.

6. SPECIFIC AUTHORIZATIONS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

- 6.1 To engage in acts reasonable and necessary to the conduct of that party's usual business and occupation.
- 6.2 To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
- 6.3 To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
- 6.4 To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

7. SERVICE AND APPLICATION OF THIS ORDER.

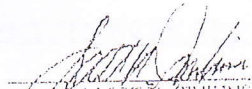
- 7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.
- 7.2 This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of the court. This entire order will terminate and will no longer be effective once the court signs a final order.

8. EFFECT OF OTHER COURT ORDERS. If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court signs a final decree.

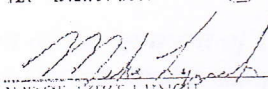
9. PARTIES ENCOURAGED TO MEDIATE. The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative

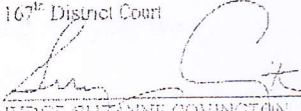
dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.

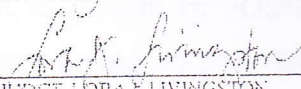
THIS TRAVIS COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY AND CONDUCT OF THE PARTIES SHALL BECOME EFFECTIVE ON JANUARY 1, 2005.

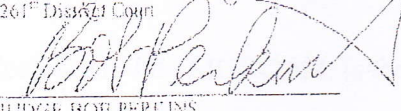

JUDGE SCOTT J. JENKINS
4th District Court

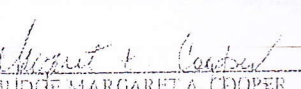

JUDGE DARLENE BYRNE
126th District Court

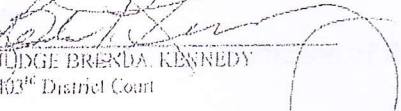

JUDGE MIKE LYNCH
167th District Court

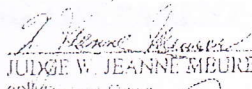

JUDGE SUZANNE COVINGTON
201st District Court



JUDGE LORA F. LIVINGSTON
261st District Court

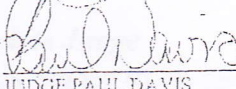

JUDGE BOB PERKINS
331st District Court


JUDGE MARGARET A. COOPER
353rd District Court

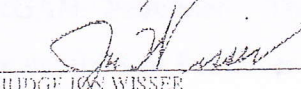

JUDGE BRENDA KENNEDY
403rd District Court



JUDGE W. JEANNE MEURER
98th District Court

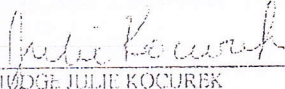

JUDGE WILFORD FLOWERS
147th District Court


JUDGE PAUL DAVIS
200th District Court


JUDGE JOHN K. DIETZ
250th District Court


JUDGE JON WISSER
299th District Court


JUDGE PATRICK KEEL
345th District Court


JUDGE JULIE KOCUREK
390th District Court