

CAUSE NO. 2902

IN THE INTEREST OF § IN THE DISTRICT COURT OF
§
330 CHILDREN, § SCHLEICHER COUNTY, TEXAS
§
FROM THE YFZ RANCH § 51ST JUDICIAL DISTRICT

**ORDER TO VACATE TEMPORARY ORDER GRANTING
TEMPORARY MANAGING CONSERVATORSHIP AND TO MODIFY
TEMPORARY ORDERS**

The Court has previously entered temporary orders following the holding of an adversary hearing on April 17-18, 2008 pursuant to Section 262.201, Texas Family Code, which appointed the Department as sole temporary managing conservator of the children the subject of the above-styled and numbered causes. The Court further finds that, as a result of the opinions rendered by the Texas Third Court of Appeals in the cases of In re Sara Steed, et al, Cause No. 03-08-00235-CV and In re Louisa Bradshaw, et al, Cause No. 03-08-00298-CV, and the opinion rendered by the Texas Supreme Court in the case of In re Texas Department Of Family And Protective Services, Relator, Cause No. 08-0391, the Court has been directed to vacate its temporary orders granting the Department sole temporary managing conservatorship of some of the children the subject of the above-styled and numbered cause. The Court further finds that, in light of such opinions, the Court should vacate the temporary orders granting the Department temporary managing conservatorship of the children listed in attached Appendix 1.

The Court further finds that the opinion of the Supreme Court of Texas in In re Steed, id., provided that the Court: "may make and modify temporary orders 'for the safety and welfare of the child,' including an order 'restraining a party from removing the child beyond a geographical area identified by the Court.'" The opinion further

provided that: "the Court may also order the removal of an alleged perpetrator from the child's home, and may issue orders to assist the Department in its investigation."

IT IS ORDERED that the portion of the temporary orders granting to the Department sole temporary managing conservatorship of the children listed in attached Appendix 1, are vacated.

IT IS ORDERED that the Department shall return the children to the parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession of the children, beginning June 2, 2008 from 8:00 o'clock a.m. to 5:00 o'clock p.m. each day through June 6, 2008, provided that each parent shall execute the affidavit provided by the Department and shall present such affidavit to Department representative at each placement wherein they identify the child(ren) of whom they take possession. The person taking possession of each child shall permit his or her photo and the photo of the child be taken at the time of taking possession of the child. The parties shall renegotiate any concerns regarding parenting class providers.

IT IS ORDERED that each Respondent attend, participate in and successfully complete standard parenting classes at such times and places as arranged by the Department and to submit to the Department or file with Court a certificate of completion no later than seven days after the completion. The parties shall renegotiate any concerns regarding parenting class providers.

IT IS ORDERED that each Respondent attend shall cooperate with the ongoing investigation into allegations of abuse and neglect of the subject children, which shall include, but not be limited to the following:

CPS has access to the residence of the subject child for unannounced home visits during the hours of 8 o'clock a.m. through 8 o'clock p.m. Respondent parents must provide CPS the address of the residence of the child and the names of person residing in the residence of the child in writing within 72 hours of taking possession of the subject child. The Respondent parents must provide the same information relating to any subsequent change in residence.

Temporary Injunctions as to Listed Parents

The Court finds that, pursuant to Family Code Section 105.001(a)(4), a temporary injunction against them should be granted as appropriate relief, because there is no adequate remedy at law.

The temporary injunction granted below shall be effective immediately and shall be binding on the Respondent parents of the children listed in Appendix 1; on their agents, servants, employees, and attorneys and on those persons in active concert or participation with him who receive actual notice of this order by personal service or otherwise.

IT IS ORDERED AND DECREED that the Respondent parents of the children listed in Appendix 1 are temporarily enjoined from:

1. Removing the children indentified in Appendix 1, from the State of Texas.

IT IS ORDERED AND DECREED that this temporary injunction shall be effective from the date of the signing of this order until August 31, 2008, at 8:00 o'clock a.m. unless extended by further order of this Court.

The requirement of a bond is hereby waived. The parties waive the issuance, citation, service, and return relative to this temporary injunction.

SIGNED: _____, 2008.

JUDGE PRESIDING

APPENDIX 1

Cause No.	Mother's name	Child's name	Record Citation
2792	Ruth Edna Fischer	Joseph Smith Jeffs	2 RR 15
2793	Ruth Edna Fischer	James Rulon Jeffs	2 RR 16
2794	Ruth Edna Fischer	Hannah Jeffs	2 RR 17
2827	Martha Emack	Shauna Emack [Dutson]	2 RR 50
2828	Martha Emack	Brigham Emack	2 RR 51
2843	Lori Jessop	Joeson Jessop	2 RR 66
2844	Josephine Johnson	Joseph Jessop	2 RR 67
2849	Josephine Johnson	Melissa Jessop	2 RR 72
2851	Vicki[e] Nielsen	Sarah Jeffs [Nielsen]	2 RR 74
2868	Lori Jessop	Ziana Jessop	2 RR 91
2890	Viola Barlow	Woodruff Barlow [Woody]	2 RR 113
2891	Vicki[e] Nielsen	Wendell Jeffs [Wendell]	2 RR 114
2901	Ruth Edna Fischer	Hyrum Smith Jeffs	2 RR 124
2902	Elizabeth Jessop	Eliza Jessop Peter Jeffs Jessop Madison Fredrick Jessop Moroni Jessop Gloria Jessop	3 RR 326 CR: (Orig. Pet. Sch. A pg. 7) (Orig. Pet. Sch B pg.5)
2902	Lucille Nielsen	Wendell Loy Nielsen Jessop	5 RR 298: 1-14
2902	Sylvia E. Johnson	Smith Daniel Barlow Grant Richards Barlow Helen MaRee Barlow Vilate Marian Barlow	
2902	Nancy Johnson Barlow	Matthew Leroy Barlow Lanan Marie Barlow Versaree Anne Barlow Gloria Day Barlow	CR: (Orig. Pet. Sch. A pg. 2) (Orig. Pet. Sch. B pg. 6)
2902	Patricia Johnson	Lydia Rose Johnson Carlyn Allen Johnson Radiance Ann Johnson Elizabeth Johnson Leroy Johnson	CR: (Orig. Pet. Sch. A pg. 10) (Orig. Pet. Sch B pg.7)
A-08-0515-F	Jeanetta Jeffs	Warren Nephi Jeffs Josiah Allred Jeffs Nehemiah Allred Jeffs James Leroy Jeffs	
2902	Zavenda Steed	James Jessop Jeffs	
A-08-0552-F	Dora Mae Barlow	Brett Barlow Eli Barlow Jennetta Barlow Josette Barlow Jace Barlow Janelle Barlow	CR
A-08-0549-F	Amy Holm Barlow	Maria Anne Barlow Parker Rulon Barlow Fielding Frederick Barlow Rebekah Barlow	CR

A-08-0548-F	Neola Jessop	Bonita Jessop Nicole Jessop Angela Jessop	CR
A-08-0517-F	Karen Johnson	William R. Johnson Karen Phyllis Johnson Carl Johnson Paruss R. Johnson Liahona C. Johnson Isaac Johnson Parley Johnson	CR
A-08-0518-F	Alice Johnson	Allie Jessop	CR
A-08-0519-F	Kathryn W. Jeffs	Samuel Wall Jeffs Jeremiah Wall Jeffs David Seth Jeffs Matthew Jessop Jeffs Generous Jeffs SuZion Jeffs Melanie Jeffs	CR
A-08-0520-F	Loretta Jessop	Mahonri Jessop	CR
A-08-0521-F	Carlene Jessop	Vilate M. Jessop Wilson J. Jessop Lillian Jessop William S. Jessop, Jr.	CR
A-08-0522-F	Faithann Jessop	Richelle Jessop	CR
A-08-0524-F	Lenora Harker	Sondra Jeffs Abraham Jeffs	CR
A-08-0527-F	Cynthia Joy Jessop	Richard Samuel Jessop, Jr. Maxmilian Dan Jessop Carter Merrill Jessop Lehi Sunderland Richardson Meek Jessop Harmony Joy Jessop	CR
A-08-0528-F	Jennifer Steed	Melissa Sue Jeffs Shem Stead Jeffs	CR
A-08-0529-F	Leona Steed	John Carling Johnson Ada Lorraine Johnson Rachel Faith Johnson Jerem Johnson Sterling Johnson	CR
A-08-0530-F	Sara Steed	Shirley Steed Jeremiah Steed Kimberly Steed David Steed Kalynn Steed Juliana Steed	CR
A-08-0532-F	Irene Julia Jessop	Wendall Loy Keate Marlene Keate	CR
A-08-0534-F	Ruth Eliza Jessop	Michelle Jessop	CR
A-08-0535-F	Fawn Steed	Victoria Ruth Barlow Rhoda Fawn Barlow Walt Roy Barlow	CR

		Jim Clark Barlow Calvin Lorin Barlow	
A-08-0536-F	Lorene Keate	Rulon Bauer Keate Ryley Spencer Keate Natalie Joanne Keate Ephraim Royal Keate Britton Bauer Keate Jamison Rand Keate	CR
A-08-0537-F	Linda Keate	Leland Keate Guy Keate Marreta Keate	CR
A-08-0539-F	Audrey Richter	Rose Richter Monica Richter Spencer Richter Kevin Richter Warren Richter Hope Richter	CR
A-08-0540-F	Sarah Nicholson	Melinda Jeffs Jared Nicholson Jeffs	CR
A-08-0542-F	Rosinith Richter	Melinda Richter	CR
A-08-0543-F	Martha Joy Barlow	Rawland Lewis Barlow Martha Renae Barlow Judith Louise Barlow Patricia Faye Barlow	CR
A-08-0544-F	Merilyn Allred	Richard Jeffs Nora Jeffs Sarah Allred Isaac Allred	CR

APPENDIX I

Legal Aid of NorthWest Texas

① mother: Louisa Bradshaw

children: Amber Jessop cause # 2800
Rulon Jessop cause # 2839

② mother: Gladys Mae Jessop

children: Zane Lindsay cause # 2832
Wade Lindsay cause # 2829
Daniel Lindsay cause # 2864
Curtis Lindsay cause # 2863

③ Marie Steed: mother

children: Josie Steed (AKA Josie Jessop) cause # 2856
Sara Belle Steed cause # 2887
Olive Sue Steed cause # 2897
Mary Marie Steed cause # 2881
Martha Jo Steed cause # 2880
Rulon Steed cause # 2841
Naomi Steed cause # 2898

call for info:

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