

CITATION BY PUBLICATION OR POSTING  
THE STATE OF TEXAS )  
COUNTY OF HUNT )  
TO: MANUEL DE JESUS ANTONIO ROSA

92948

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at [TexasLawHelp.org](http://TexasLawHelp.org)."

The petition of MIRIAN E. PEREZ, Petitioner, was filed in the 354th District Court of Hunt County, Texas, on this the 26th day of October, 2023 against MANUEL DE JESUS ANTONIO ROSA, respondent(s), and entitled:

**In The Matter of the Marriage of MIRIAN E.  
PEREZ and MANUEL DE JESUS ANTONIO  
ROSA**

This suit Requests: ORIGINAL PETITION FOR DIVORCE

The Court has authority in this suit to enter any judgment or decree dissolving the marriage and providing for the division of property which will be binding on you.

The Court has authority in this suit to enter any judgment or decree in the child (ren)'s interest which will be binding upon you, including the termination of the parent-child relationship, the determination of Paternity and the appointment of a conservator with authority to consent to the child (ren)'s adoption."

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates hereof, and make due return as the law directs.

ISSUED AND GIVEN UNDER MY HAND AND SEAL OF SAID COURT at Greenville, Hunt County, Texas, on this the 1st day of February, 2024.

SUSAN SPRADLING, DISTRICT CLERK  
HUNT COUNTY, TEXAS



By Teresa Howle Deputy  
Address: Hunt County Courthouse  
2500 Lee Street  
Greenville, Texas 75401

Issued at the request of:  
MIRIAN E. PEREZ  
400 KIRK LN  
QUINLAN TX 75474

## SHERIFF'S RETURN

Came to hand on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ at \_\_\_\_ o'clock \_\_ .M. and I executed the within citation by publishing or posting the same in the \_\_\_\_\_ Newspaper published in the County of Hunt, Texas, once previous to the return day hereof. Said publication or posting was made respectively on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ And a printed copy thereof is returned herewith.

FEES: Serving Citation\$ \_\_\_\_\_

{ Sheriff

{ Constable

County, Texas

By \_\_\_\_\_ Deputy

CITATION BY PUBLICATION OR POSTING  
THE STATE OF TEXAS )  
COUNTY OF HUNT )  
TO: MANUEL DE JESUS ANTONIO ROSA

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HUNT COUNTY, TEXAS



By Teresa Howle Deputy  
Address: Hunt County Courthouse  
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FEES: Serving Citation\$ \_\_\_\_\_

{ Sheriff

{ Constable

County, Texas

By \_\_\_\_\_ Deputy

FILED  
AT 1:31 PM  
OCT 26 2023  
TH

Cause Number: 92948

**In the Matter of the Marriage of**

**Petitioner:** Mirian E Perez  
Print first, middle and last name of the spouse who filed for divorce.

In the 354th  
(Court Number)

*Sharon Shadling*  
CLERK, DISTRICT COURT, HUNT CO., TX

And

- ☒ District Court  
☐ County Court at Law

**Respondent:** Manuel de Jesus Antonio Rosa Hunt County, Texas  
Print first, middle and last name of other spouse.

**And in the Interest of:**

(Print the initials of each child you and your spouse have together who is under 18 or still in high school.)

1. ER 2. LR 3. \_\_\_\_\_  
4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_

## Original Petition for Divorce

Print your answers.

My name is: Mirian Estela Perez  
First Middle Last

I am the **Petitioner**, the person asking for a divorce.

The last three numbers of my driver's license number are: ..... My driver's license was issued in (State): \_\_\_\_\_.

or ☐ I do not have a driver's license number.

The last three numbers of my social security number are: \_\_\_\_\_.

or ☒ I do not have a social security number.

My spouse's name is: Manuel de Jesus Antonio Rosa  
First Middle Last

My spouse is the **Respondent**.

### 1. Discovery Level

The discovery level in this case, if needed, is Level 2.

### 2. Legal Notice (Check one box.)

- ☐ I think my spouse will sign a Waiver of Service (or Answer). Do not send a sheriff, constable, or process server to serve my spouse with a copy of this Petition for Divorce at this time.
- ☐ I will have a sheriff, constable, process server or clerk serve my spouse with this Petition for Divorce here:

\_\_\_\_\_  
Street Address City State Zip

If this is a work address, name of business: \_\_\_\_\_.

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to my spouse by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a Statement of Inability to Afford Payment of Court Costs if I am unable to pay the fee) and **arrange for service**.

- ☒ I cannot find my spouse. I ask that my spouse be served by publication. I understand I must file an Affidavit for Citation by Publication and hire a lawyer to serve as attorney ad litem for my spouse.

### 3. Jurisdiction

#### 3A. County Residence Requirement

(Check all boxes that apply.)

- ☒ I have lived in this county for the last 90 days.
- ☐ My spouse has lived in this county for the last 90 days.
- ☐ I am serving in the armed forces or other government service outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- ☐ I have accompanied my spouse who is serving in the armed forces or other government service outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.

**Note:** You cannot file for divorce in Texas until you or your spouse has lived in the county where you are asking for a divorce for at least the last 90 days and in Texas for at least the last six months.

There are special rules for military families and others who are absent from the state due to government service. Get more information at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

#### 3B. Texas Residence Requirement

(Check all boxes that apply.)

- ☒ I have lived in Texas for the last six months.
- ☐ My spouse has lived in Texas for the last six months.
- ☐ I am serving in the armed forces or another government service outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.
- ☐ I have accompanied my spouse who is serving in the armed forces or another government service outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.

**Note:** If you or your spouse does not live in Texas, you must complete and attach the Exhibit: Out-of-State Party Declaration. Get it at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

#### 3C. Personal Jurisdiction over Spouse

(Check one box.)

- ☐ My spouse lives in Texas.
- ☒ My spouse does not live in Texas. (Check any boxes that apply below.)
  - ☐ My spouse agrees that a Texas court can make orders in this divorce, including orders regarding conservatorship (custody), visitation, and financial support of our children and orders regarding our property and debts. My spouse will file a Waiver of Service (or Answer).
  - ☒ Texas is the last state where we lived together as a married couple. This Petition for Divorce is filed less than two years after we separated.
  - ☐ The children live in Texas because of my spouse's actions.
  - ☐ My spouse has lived in Texas with the children.
  - ☐ My spouse has lived in Texas and provided prenatal expenses or support for the children.
  - ☐ My spouse had sexual intercourse in Texas, and the children may have been conceived by that act of intercourse.
  - ☒ Our child was born in Texas and my spouse registered with the paternity registry maintained by the bureau of vital statistics or signed an acknowledgment of paternity.
  - ☐ My spouse will be personally served with citation (official service of process) in Texas.

#### 4. Dates of Marriage and Separation

My spouse and I got married on or about: December 23 2006  
Month Day Year

We stopped living together as spouses on or about: March 15 2011  
Month Day Year

#### 5. Grounds for Divorce

I ask the Court to grant me a divorce. The marriage has become insupportable due to discord or conflict of personalities that destroys the legitimate ends of the marital relationship and prevents any reasonable expectation of reconciliation.

#### 6. Children

##### 6A. Children Husband and Wife Have Together

My spouse and I are the parents of the following children who are under 18 years old or over 18 years old and still in high school.

(You MUST list all children you and your spouse have together (adopted or biological) who are under 18 or over 18 and still in high school.)

	Child's name	Date of Birth	Place of Birth	State where child lives now
1.	Edgar Antonio Rosa	7-20-07	Dallas	Quinlan Tx
2.	Cesly Beatriz Rosa	10-9-08	Dallas	Quinlan Tx
3.				
4.				
5.				
6.				

##### 6B. Jurisdiction over Children

(Check one box.)

- ☒ The children live in Texas now and have lived in Texas for at least the past 6 months or since birth.
- ☐ The children do not live in Texas now, but they have been gone from Texas for less than 6 months. The children lived in Texas the 6 months before they moved. A parent or person acting as a parent continues to live in Texas.
- ☐ None of the above apply. (Note: Talk to a lawyer if none of the above apply.)

(Check box below only if true.)

- ☒ There are **no court orders** about any of the children listed above. No other court has continuing jurisdiction over this case or the children.

**Note:** Do not use this form if there is already a court order in place for any of the children (such as a child support order.). Get information about filing for divorce when there is already a court order at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

### 6C. Children's Property

(Check one box.)

- ☒ The children do not own any property of significant value in their own name.  
☐ The children own the following property of significant value in their own name:
- 

### 6D. Conservatorship (Custody) of the Child(ren)

I ask the court to make conservatorship (custody) orders as follows: (Check a, b, or c.)

- a. ☐ Mother and Father should be **Joint Managing Conservators** of the child(ren) and:

(If you checked a, check a-1, a-2, or a-3.)

- a-1. ☐ Father should have the exclusive right to designate the primary residence of the child(ren) within the following geographic area: (Check one box below.)

☐ anywhere. ☐ this county. ☐ this county or county adjacent to this county.  
☐ Texas. ☐ other: \_\_\_\_\_.

- a-2. ☐ Mother should have the exclusive right to designate the primary residence of the child(ren) within the following geographic area: (Check one box below.)

☐ anywhere. ☐ this county. ☐ this county or county adjacent to this county.  
☐ Texas. ☐ other: \_\_\_\_\_.

- a-3. ☐ Neither parent should have the exclusive right to designate the primary residence of the child(ren) but both parents should be ordered not to move the child(ren) out of the following geographic area: (Check one box below.)

☐ this school district: \_\_\_\_\_ ☐ this county.  
☐ this county or county adjacent to this county. ☐ other: \_\_\_\_\_.

- b. ☒ Mother should be the **Sole Managing Conservator** of the child(ren) with the exclusive rights listed in Texas Family Code 153.132 including the exclusive right to designate the primary residence of the child(ren) anywhere.

- c. ☐ Father should be the **Sole Managing Conservator** of the child(ren) with the exclusive rights listed in Texas Family Code 153.132 including the exclusive right to designate the primary residence of the child(ren) anywhere.

### 6E. Child(ren)'s Passports (Check only if applicable.)

- ☒ I ask the Court to order that I have the exclusive right to apply for and renew passports for the child(ren).



## 6F. Possession of and Access to the Child(ren) (Visitation)

I ask the court to make possession and access (visitation) orders as follows: (Check a, b, c, or d.)

- a. ☐ Father should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)
- b. ☐ Mother should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)
- c. ☐ "Standard visitation" would be unworkable or inappropriate. Possession and access to the child(ren) should be as follows:

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- d. ☐ I am concerned about the safety of the children with the other parent: I ask that:  
(If you checked d, check all that apply below.)

- d-1. ☐ exchanges of the child(ren) be supervised, or in the alternative, be in a public place.
- d-2. ☐ the other parent's possession of the child(ren) be limited to day visits.
- d-3. ☐ the other parent's possession of the child(ren) be supervised.
- d-4. ☒ the other parent have no right to possession or access to the child(ren).
- d-5. ☐ the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the child(ren).
- d-6. ☐ the other parent's possession and access to the children be restricted as follows:

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(Check only if you are asking that a different possession order be in place while a child is under 3 years old.)

- ☐ One or more of the children is under 3. Until the child turns 3, possession should be as follows:

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After the child turns 3, possession should be as checked above.

(Check only if applicable.)

- ☐ I am concerned that the other parent may take the child(ren) to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child(ren).

## 6G. Child Support, Medical Support, and Dental Support for the Child(ren)

I ask the court to make appropriate orders for the financial support of the child(ren), including regular child support, medical support, dental support and, if supported by the evidence, retroactive child support.

## 7. Is the wife pregnant?

(Check one box.)

- ☒ The wife in this marriage is **not** pregnant.
- ☐ The wife in this marriage is pregnant. I understand that I cannot finish the divorce until after the child is born.

(If the wife is pregnant, also check one box below.)

- ☐ The husband is the father of this child. I ask the court to include orders for custody, visitation, child support, and medical and dental support for the child in the Final Decree of Divorce.
- ☐ The husband is **not** the father of this child. I understand that paternity of the child must be established before I can finish the divorce. (Get information about establishing paternity at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).)

## 8. Did the wife have a child with another man while married to the husband?

(Check one box. Fill in the requested information, if applicable.)

- ☒ The wife **did not** have a child with another man while married to the husband.
- ☐ The wife **did** have a child with another man while married to the husband. All of the children born during the marriage that are not the Husband's adopted or biological children are named below:

	Child's name	Age	Date of Birth	Sex
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

(If the wife had a child or children with another man during the marriage, check one box below.)

- ☐ Paternity of the child(ren) named above **has not** been established. I understand that paternity of the child(ren) must be established before I can finish my divorce. (Get information about establishing paternity at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).)
- ☐ Paternity of the child(ren) named above **has** been established:

(Check one box.)

- ☐ A court order has established that another man is the biological father and/or the Husband is not the biological father of the child(ren) listed above. I understand I must attach a file-stamped copy of the court order to my Final Decree of Divorce.
- ☐ An Acknowledgement of Paternity was signed by the biological father and a Denial of Paternity was signed by the Husband for the child(ren) listed above. I understand I must attach a copy of these documents to my Final Decree of Divorce.

**9. Protective Order Statement** (Check the appropriate boxes. Fill in the requested information.)

**Note:** You **must** provide information about any protective order or pending application for protective order involving you and your spouse or a child of either you or your spouse. This includes information about any: (1) family violence protective order, (2) sexual assault, sexual abuse, trafficking or stalking protective order and/or (3) emergency protective order issued after an arrest.

You **must also** attach to this petition a copy of any protective order (even if it's expired) in which one spouse or child of either spouse was the applicant or victim and the other spouse was the respondent or defendant.

**9A. No Protective Order**

- ☒ I **do not** have a protective order against my spouse and I have not asked for one.
- ☐ My spouse **does not** have a protective order against me and has not asked for one.

**9B. Pending Protective Order**

- ☐ I **have** filed paperwork at the courthouse asking for a protective order against my spouse, but a judge has not decided if I should get it. I asked for a protective order on \_\_\_\_\_  
Date Filed  
in \_\_\_\_\_ County, \_\_\_\_\_ State. The cause number is \_\_\_\_\_.  
County State Cause Number  
If I get a protective order, I will file a copy of it before any hearings in this divorce.
- ☐ My spouse **has** filed paperwork asking for a protective order against me, but a judge has not decided if my spouse will get it. My spouse asked for a protective order on \_\_\_\_\_  
Date Filed  
in \_\_\_\_\_ County, \_\_\_\_\_ State. The cause number is \_\_\_\_\_.  
County State Cause Number  
If my spouse gets a protective order, I will file a copy of it before any hearings in this divorce.

**9C. Protective Order in Place**

- ☐ I **do have** a protective order against my spouse. I got the protective order in \_\_\_\_\_  
County State on \_\_\_\_\_  
County State Date Ordered  
The cause number for the protective order is \_\_\_\_\_.  
Cause Number  
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.
- ☐ My spouse **does have** a protective order against me. The protective order was made in \_\_\_\_\_  
County State on \_\_\_\_\_  
County State Date Ordered  
The cause number for the protective order is \_\_\_\_\_.  
Cause Number  
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

**10. Waiver of Waiting Period Based on Family Violence** (Check only if applicable.)

- ☐ I ask the Court to waive the 60-day waiting period for divorce because: (Check one box.)
- ☐ My spouse has been convicted of or received deferred adjudication for a crime involving family violence against me or a member of my household.
- ☐ I have an active protective order or an active magistrate's order for emergency protection against my spouse because of family violence during our marriage. The order includes a finding that my spouse committed family violence.

## 11. Property and Debt

**Note:** It is very important to talk with lawyer if you or your spouse has a house, land, business, retirement funds, other valuable property, or debt. Getting advice from a lawyer now can save you time and money in the long run.

**About community property:** Texas is a community property state. This means that any property either spouse gets from the minute they are married until the minute the judge grants the divorce is probably community property, even if the property is only in one spouse's name. **About separate property:** Property owned by a spouse before the marriage is that spouse's separate property. In addition, if either spouse receives a gift, an inheritance, or a recovery for personal injuries that occurred during the marriage (not including a recovery for lost wages or medical expenses); it is that spouse's separate property. There are exceptions to these general rules. If you have questions talk to a lawyer.

**About retirement:** Retirement funds (such as 401k, pension, profit sharing, stock option plans and IRAs) earned by either spouse during the marriage are usually considered to be community property that can be divided by the court. This is true even if you or your spouse has not yet retired. If you want the Court to divide retirement funds (other than an IRA), you will need to have the Court sign an additional form, usually called a "Qualified Domestic Relations Order" (QDRO), to make the division effective. You should have the QDRO prepared before you go to court, so the judge can sign it when you finish your divorce. A QDRO form is not included with this divorce set. You may be able to get a sample QDRO form from the employer or retirement fund administrator. If not, you should hire a lawyer to draft the QDRO form. If you use the employer or retirement fund administrator's QDRO form, you should still have a lawyer review it to make sure you are not giving up important benefits. **Note:** If you and your spouse plan to keep your own retirement funds or do not have retirement funds, you do not need a QDRO.

**About debt:** A creditor's right to collect a debt is not affected by a divorce decree. So, if the Court orders your spouse to pay a debt (such as a mortgage) that is in both of your names, but your spouse doesn't pay it, the creditor may still be able to seek payment from you. Ask a lawyer how to protect yourself in this situation.

### 11A. Community Property and Debt

If my spouse and I can agree about how to divide the property and debts we got during our marriage, I ask the Court to approve our agreement. If we cannot agree, I ask the Court to divide our community property and debts according to Texas law.

### 11B. Separate Property

I own the following separate property. I owned this property before I was married, or I received this property as a gift or inheritance during my marriage or I received this property as recovery for personal injuries that occurred during the marriage (not including any recovery for lost wages or medical expenses). I ask the Court to confirm this property as my separate property.

(Fill in all lines. If you have no property to list in a particular category, write "none.")

House located \_\_\_\_\_  
Street Address City State Zip

Land located at: \_\_\_\_\_  
Street Address City State Zip

Cars, trucks, motorcycles, or other vehicles

Year	Make	Model	Vehicle Identification No. [VIN]-
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_____	_____	_____	_____
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Other money or personal property I owned before I was married, received as a gift or inheritance during my marriage or property I purchased during my marriage with separate property funds: \_\_\_\_\_

Money I received as recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses: \_\_\_\_\_

## 12. Name Change

(Check one box.)

**Note:** You cannot use this form to change your name to anything other than a name you used before you got married.

- ☒ I am NOT asking the Court to change my name.
- ☐ I ask the Court to change my name back to a name I used before my marriage. I am not asking the court to change my name to avoid criminal prosecution or creditors. I ask that my name be changed to:

First

Middle

Last

## 13. Health Insurance Availability for Children

The children: (Check all that apply.)

- ☐ have private health insurance.

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_ Cost of premium: \$ \_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy ☐ is ☐ is not available through the parent's work.

- ☒ have health insurance through Medicaid.

☐ have health insurance through C.H.I.P. Cost of premium (if any): \$ \_\_\_\_\_

☐ do not have health insurance.

If the children do not have private health insurance also complete the following:

Private dental insurance ☐ is ☐ is not available to Father at a reasonable cost.

Private dental insurance ☐ is ☐ is not available to Mother at a reasonable cost.

## 14. Dental Insurance Availability for Children

The child(ren): (Check all that apply.)

- ☐ have private dental insurance.

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_ Cost of premium: \$ \_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy ☐ is ☐ is not available through the parent's work.

- ☐ have dental insurance through Medicaid.

☐ do not have dental insurance.

If the children do not have private dental insurance also complete the following:

Private dental insurance ☐ is ☐ is not available to Father at a reasonable cost. Private

dental insurance ☐ is ☐ is not available to Mother at a reasonable cost.

## 15. Public Benefits

(Check any boxes that apply.)

- ☒ The child(ren) have Medicaid now or had it in the past.
- ☐ The child(ren), or someone on behalf of the child(ren), get TANF (Temporary Assistance for Needy Families) now or got it in the past.

**Note:** If your child(ren) have ever received Medicaid or TANF, you MUST send a copy of this Petition to the Office of the Attorney General Child Support Division.  
You MUST also sign the "Certificate of Service to the Office of the Attorney General" on the next page.

## 16. Family Information

(Check only if applicable.)

- ☐ I believe my children or I will be harassed, abused, seriously harmed or injured or otherwise subjected to family violence if I must give my spouse the information checked below for myself and the child(ren):

- ☐ home address, ☐ mailing address, ☐ employer, ☐ work address,  
☐ home phone, ☐ work phone, ☐ social security no., ☐ driver's license #.

I ask the Court to Order that I not have to give this information or notice of changes in this information to my spouse. I also ask the Court to keep this information confidential.

## 17. Request for Judgment

I ask the Court to grant my divorce. I also ask the Court to make the other orders I have asked for in this Petition and any other orders to which I am entitled.

Respectfully,

→   
Petitioner's Signature

10-26-2023  
Date

Mirian E Perez  
Petitioner's Name (Print)

972-480 7370  
Phone

400 Kirk Ln  
Mailing Address

Quinlan TX 75474  
City State Zip

Email Address: Mirianperez@gmail.com Fax (if available)

**Warning:** Your spouse will get a copy of this form. If you are concerned about your spouse learning your address, call the Hope Line at 800-374-4673(HOPE) for free advice BEFORE filing this form with the court.

I understand that I must notify the Court and my spouse's attorney (or my spouse if my spouse does not have an attorney) in writing if my mailing address or email address changes during these divorce proceedings. If I don't, any notices about this case including the dates and times of hearings will be sent to me at the mailing address or email address above.

## 18. Certificate of Service to the Office of the Attorney General (OAG)

Sign **only** if your child(ren) receive (or have received) Medicaid or TANF. This tells the judge that you will deliver a copy of this Petition to the Office of the Attorney General Child Support Division as required by law. Get contact information for the Office of the Attorney General Child Support Office in the county where this case will be filed at [https://www.texasattorneygeneral.gov/apps/cs\\_locations](https://www.texasattorneygeneral.gov/apps/cs_locations). Bring proof of delivery with you to court.

I certify that a true copy of this Petition was served on the Office of the Attorney General Child Support Division\* in person, by certified and first-class mail, by commercial delivery service, by fax, by email, or through the electronic file manager on this date.

→

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

**Note:** For information about divorce in Texas, including how to file an answer, go to [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

For a referral to a lawyer call your local lawyer referral service  
or the State Bar of Texas Lawyer Referral Information Service at 800-252-9690.

For information about free and low-cost legal help in your county go to [www.TexasLawHelp.org](http://www.TexasLawHelp.org)  
or call the Legal Aid office serving your area:

**Legal Aid of Northwest Texas**, 888-529-5277 (serves Dallas–Fort Worth area and Northwest Texas)

**Lone Star Legal Aid**, 800-733-8394 (serves Houston area and East Texas)

**Texas Rio Grande Legal Aid** 888-988-9996 (serves Austin–San Antonio area, El Paso area, and South Texas)

If you have been the victim of family violence, or if at any time you feel unsafe, get help by calling the:

**National Domestic Violence Hotline**, at 800-799-SAFE (7233) or  
**Texas Family Violence Hope Line**, at 800-374-HOPE (4673) or  
**Crime Victims**, at 888-343-4414.

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**HUNT 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 Hunt County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Hunt County, except cases initiated by the Attorney General of Texas or the Department of Family Protective and Regulatory Services. The District Courts of Hunt 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 parties 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. If an order is in place "current place of abode" means the primary residence of the child as reflected in the order. Further, this standing order does not affect access and possession unless extraordinary relief is requested.
  - 1.4 Disturbing the peace of the children.
  - 1.5 Making disparaging remarks about each other or the other person's family members, to include but not be limited to the child's grandparents, aunts, uncles, or stepparents.
  - 1.6 Discussing with the children, or with any other person in the presence of the children, any litigation related to the children or the other party.
  - 1.7 If this is an original divorce action, allowing anyone with whom the party is romantically involved, to remain overnight in the home while in possession of the child, unless that person is a resident of the party's household at the time of the filing of the divorce. Overnight is defined from 10:00 p.m. until 7:00 a.m.
  - 1.8 Using or possessing any dangerous drug or controlled substance not prescribed by a physician during any period of possession of a child, or within the 12 hours preceding any period of possession.



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 course 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 any unreasonable hour, in an offensive or repetitious manner without a legitimate purpose of communication, or anonymously.
- 2.4 Intentionally, knowingly or recklessly causing bodily injury to the other party or the child of either party.
- 2.5 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 parties.
- 3.2 Misrepresenting or refusing to disclose to the other party or to the Court, proper request, the existence, amount, or location of any tangible or intellectual property of the parties or either party, including electronically stored or recorded information.
- 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 documents 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 expense 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 Modifying, changing or in any way altering the username and/or password to any financial, social media, data storage, media storage, communications, or other account;
- 3.11 Signing or endorsing the other party's name or 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.
- 3.12 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 3.13 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 3.14 Discontinuing or altering the withholding for federal income taxes on wages or salary while this suit is pending.
- 3.15 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.
- 3.16 Intercepting or recording the other party's electronic communications.
- 3.17 Entering any safe deposit box in the name of or subject to the control of the parties or either party, whether individually or jointly with others.
- 3.18 For the purposes of this Order, "personal property" and "tangible property" includes, but is not limited to, the following:
  - a. cash, checks, traveler's checks and money orders;
  - b. funds on deposit in financial accounts with commercial banks, savings banks, and credit unions;

- c. funds and assets held in brokerage, mutual fund and other investment accounts;
- d. publicly traded stocks, bonds and other securities;
- e. stock options and restricted stock units;
- f. bonuses;
- g. closely held business interests;
- h. retirement benefits and accounts;
- i. deferred compensation benefits;
- j. insurance policies, annuities, and health savings accounts;
- k. motor vehicles, boats, airplanes, cycles, mobile homes, trailers, and recreational vehicles;
- l. money owed to one or both parties, including notes and expected income tax refunds;
- m. household furniture, furnishings and fixtures;
- n. electronics and computers;
- o. antiques, artworks, and collections;
- p. sporting goods and firearms;
- q. jewelry and other personal items;
- r. pets and livestock;
- s. club memberships;
- t. travel award benefits and other award accounts;
- u. crops, farm equipment, construction equipment, tools, leases, crematory lots, gold or silver coins not part of a collection, tax overpayments, loss carry-forward deductions, lottery

tickets/winnings, stadium bonds, stadium seat licenses, seat options, season tickets, ranch brands, and business names;

v. digital assets such as e-mail addresses, social networking accounts, web sites, domain names, digital media such as pictures, music, e-books, movies and videos, blogs, reward points, digital storefronts, artwork, and data storage accounts;

w. safe deposit boxes and their contents;

x. storage facilities and their contents; and

y. contingent assets.

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, debt or other obligations.
- 4.2 Falsifying any writing or record relating to the property of either party.
- 4.3 Destroying, disposing of, or altering any e-mail, text message, video message, or chat message or other electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.
- 4.4 Modifying, changing, or altering the native format or metadata of any electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.
- 4.5 Deleting any data or content from any social network profile used or created by either party or a child of the parties.
- 4.6 Using any password or personal identification number to gain access to the other party's e-mail account, bank account, social media account, or any other electronic account.
- 4.7 Excluding the other party from the use and enjoyment of a specifically identified residence of the other party.

4.8 "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.

6.5 Nothing in this order:

(a) Excludes a spouse from occupancy of the residence where that spouse is living except as provided in a protective order made in accordance with Title 4;

(b) Prohibits a party from spending funds for reasonable and necessary living expenses; or

(c) Prohibits a party from engaging in acts reasonable and necessary to conduct that party's usual business and occupation.

7. SERVICE AND APPLICATION OF THIS ORDER.

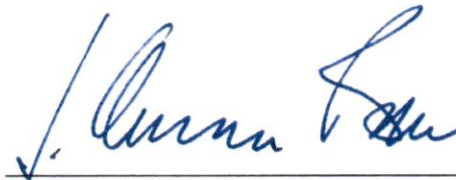
7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition

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 this court. This entire order will terminate and will no longer be effective when the court signs a final order or the case is dismissed.

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.
10. BOND WAIVED. IT IS ORDERED that the requirement of a bond is waived.

THIS HUNT COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY AND CONDUCT OF THE PARTIES SHALL BECOME EFFECTIVE ON OCTOBER 1, 2022.



J. Andrew Bench  
Judge, 196<sup>th</sup> Judicial District



Keli Aiken  
Judge, 354<sup>th</sup> Judicial District