

Cause No. _____

In the Interest of the following Minor Child(ren):

(Print the full name of each child.)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

In the _____
Court Number

- District Court
- County Court at Law of

_____ County, Texas

Order Granting or Denying the Return of the Child(ren)

On this date, _____, a hearing was held to determine whether the child(ren) who are the subject of this suit should be returned to the possession of the Petitioner.

1. Appearances

Petitioner, _____, appeared in person and announced ready.
(Petitioner's full name)

Respondent, _____:
(Respondent's full name)

(Check one.)

- Appeared in person and announced ready, or
- Although properly cited did not appear and defaulted.

2. Findings

The Court examined the pleadings and heard the evidence and arguments of each party. All necessary prerequisites of law have been met and the court has proper jurisdiction. All parties required to have notice received proper notice or made an appearance.

(Check (1) if the Petitioner's request was granted; check (2) if it was denied; if it was denied, check the reason why it was denied.)

(1) Relief Granted

The court finds that the following child(ren) have been illegally restrained by the Respondent:

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

IT IS ORDERED that Respondent deliver the child(ren) to the possession of the Petitioner as follows:

Date of return: _____

Time of return: _____

Place of return: _____

IT IS ORDERED that the Respondent is responsible for paying all court fees or costs.

OR

(2) Relief Denied

(Check (A) if the court denied Petitioner's request because he/she does not have the superior right of possession; check (B) if the court denied Petitioner's request for some other reason.)

(A) The court finds that the Petitioner does not have the superior right of possession, and that the child(ren) have not been illegally restrained by the Respondent. **IT IS ORDERED** that all relief requested by the Petitioner is denied.

(Check this finding, if applicable.)

The court finds that the previous order relied upon by Petitioner was granted by a court that did not give the contestants reasonable notice of the proceeding and an opportunity to be heard. Texas Family Code 157.372.

OR

(B) Although the Petitioner does have the superior right of possession, the court exercises its lawful discretion and denies the return of the child to the Petitioner on the following basis:

(Check one.)

(i) The court finds that there is a serious and immediate question concerning the welfare of the child(ren), should the child(ren) be returned to the Petitioner. Texas Family Code 157.374.

(ii) The court finds that Petitioner has, by consent or acquiescence, relinquished actual possession and control for not less than six months immediately preceding the filing of the petition for writ of habeas corpus. Texas Family Code 157.373.

IT IS ORDERED that all relief requested by the Petitioner is denied.

All relief not expressly granted is denied.

SIGNED on _____.

JUDGE PRESIDING