

TEXAS COURT OF APPEALS FOR THE FIRST DISTRICT

In re S.H.

No. 01-25-00782-CV · No. 01-25-00782-CV · Decided December 31, 2025

SUMMARY

The First Court of Appeals of Texas denied S.H.’s petition for writ of mandamus challenging the trial court’s removal of the Harris County Public Defender’s Office as her counsel in a parental-rights termination proceeding. The court concluded that S.H. failed to establish entitlement to mandamus relief, lifted the stay of the underlying proceedings, and dismissed pending motions as moot.

CASE DETAILS

COURT	Texas Court of Appeals for the First District
WRITING FOR THE COURT	Justice Guerra; Justice Caughey; Justice Dokupil
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	December 31, 2025
DOCKET	01-25-00782-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding on a petition for writ of mandamus challenging the trial court's order removing the Harris County Public Defender's Office as counsel for S.H. and appointing substitute counsel in a parental-rights termination proceeding.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	S.H., Relator v. Margaret Lombardo, Attorney Ad Litem, Texas Department of Family and Protective Services

TOPICS

- appellate procedure
- family law procedure
- termination of parental rights
- parental rights

PRACTICE AREAS

- family law
- appellate procedure
- remedies

QUESTIONS PRESENTED

1. Whether S.H. established entitlement to mandamus relief from the trial court's order removing the Harris County Public Defender's Office as her counsel and appointing other counsel.
2. Whether the stay of the underlying termination proceedings should remain in effect while the mandamus petition was pending.

HOLDINGS

1. S.H. failed to establish that she was entitled to mandamus relief challenging the trial court's order removing the Harris County Public Defender's Office as counsel and appointing counsel.
2. Because mandamus relief was denied, the stay of the underlying proceedings was lifted.

KEY QUOTATIONS

“We conclude that relator failed to establish she is entitled to mandamus relief, and the Court therefore lifts the stay imposed by our September 25, 2025 order and denies relator’s petition for writ of mandamus.” (at 2)

FACTUAL BACKGROUND

The Texas Department of Family and Protective Services initiated a suit affecting the parent-child relationship seeking termination of S.H.'s parental rights to her two minor children. During the underlying proceedings, the trial court removed the Harris County Public Defender's Office as S.H.'s counsel and appointed other counsel, prompting S.H. to challenge the disqualification of Christine Umeh, an assistant public defender.

PROCEDURAL HISTORY

The trial court entered a July 31, 2025 order removing the Harris County Public Defender's Office as counsel for relator and appointing counsel. S.H. petitioned for mandamus relief and sought temporary relief staying the underlying proceedings. The Court of Appeals granted the stay, requested a response, received a response from the attorney ad litem and a reply from relator, then denied mandamus relief and lifted the stay.

DISPOSITION

writ_denied

OPINION

PER CURIAM.

Opinion issued December 31, 2025 In The Court of Appeals For The First District of Texas NO. 01-25-00782-CV IN RE S.H., Relator Original Proceeding on Petition for Writ of Mandamus MEMORANDUM OPINION Relator, S.H., filed a petition for writ of mandamus in connection with the underlying suit affecting the parent-child relationship initiated by real party in interest, the Texas Department of Family and Protective Services (the Department).¹ In the underlying proceedings, the Department seeks to terminate the parental rights of relator to her two minor children.

In her petition for writ of mandamus, relator 1 The underlying case is In the Interest of XXX and XXX, Children, Cause No. 2025-01483J, in the 314th District Court of Harris County, Texas, the Honorable Michelle Moore presiding challenged the trial court's July 31, 2025 "Order Removing the Harris County Public Defender's Office as Counsel for [Relator] and for Appointment of Counsel." Relator argued in her petition for writ of mandamus that the trial court abused its discretion by disqualifying her "counsel of choice," Christine Umeh, an Assistant Public Defender with the Harris County Public Defender's Office.

Relator requested that the Court grant the petition and "order the [r]espondent to vacate the order purporting to disqualify Christine Umeh from representing [relator] in this cause." In connection with her petition for writ of mandamus, relator filed a motion for temporary relief, requesting that the Court "stay all underlying proceedings while her mandamus petition [was] pending." The Court granted relator's motion, stayed the underlying cause, and requested a response to the mandamus petition.

Real party in interest, Margaret Lombardo, the attorney ad litem appointed by the trial court to represent relator in the termination proceedings, filed a response to relator's petition for writ of mandamus. Relator also filed a reply in support of her mandamus petition.

We conclude that relator failed to establish she is entitled to mandamus relief, and the Court therefore lifts the stay imposed by our September 25, 2025 order and denies relator's petition for writ of mandamus. We dismiss any pending motions as moot. PER CURIAM Panel consists of Justices Guerra, Caughey, and Dokupil. 2