

250TH JUDICIAL DISTRICT COURT, TRAVIS COUNTY, TEXAS

Eric Schachar v. Stephanie Muth, in Her Official Capacity as
Commissioner of the Texas Department of Family and Protective
Services

Schachar v. Muth · No. D-1-GN-25-000881 · Decided December 4, 2025

SUMMARY

The Travis County District Court dismissed Eric Schachar's administrative appeal for lack of jurisdiction. The court held that the applicable regulations provide for a SOAH hearing only when the agency is preparing to release adverse information and do not authorize SOAH or judicial review in the procedural posture presented. The judgment is final and directs the district clerk to close the case.

CASE DETAILS

COURT	250th Judicial District Court, Travis County, Texas
JURISDICTION	250th Judicial District Court, Travis County, Texas
DECIDED	December 4, 2025
DOCKET	D-1-GN-25-000881
DISPOSITION	dismissed
PROCEDURAL POSTURE	Administrative appeal dismissed by the district court for lack of subject-matter jurisdiction.
PRECEDENTIAL VALUE	published
PARTIES	Eric Schachar v. Stephanie Muth, in her official capacity as Commissioner of the Texas Department of Family and Protective Services

TOPICS

- subject matter jurisdiction
- judicial review of agency action
- agency adjudication
- administrative law
- appellate procedure

PRACTICE AREAS

- administrative law
- administrative procedure
- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction to review the administrative matter in its current procedural posture.
2. Whether the applicable regulations authorized a SOAH hearing or judicial review when the agency was not preparing to release adverse information.

HOLDINGS

1. Under 40 Tex. Admin. Code §§ 707.577 and 707.579, a SOAH hearing is available only when the agency is preparing to release adverse information.
2. State law did not authorize SOAH review or judicial review in the current procedural posture of the matter.

KEY QUOTATIONS

“This administrative appeal is dismissed for lack of jurisdiction.”

“State law does not authorize SOAH review or judicial review in the current procedural posture of this matter.”

FACTUAL BACKGROUND

The case concerned an administrative matter involving the Texas Department of Family and Protective Services and a potential release of adverse information. The court determined that the procedural circumstances did not involve the agency preparing to release adverse information, the circumstance in which the applicable regulations make a SOAH hearing available.

PROCEDURAL HISTORY

Eric Schachar brought an administrative appeal against Stephanie Muth in her official capacity as Commissioner of the Texas Department of Family and Protective Services. The district court concluded that the applicable regulations did not authorize a SOAH hearing or judicial review in the matter's current procedural posture and dismissed the appeal for lack of jurisdiction. The court entered a final judgment disposing of all claims and instructed the district clerk to close the case.

DISPOSITION

dismissed