

FIFTH COURT OF APPEALS OF TEXAS AT DALLAS

Deloris Phillips v. Porshala Phillips and William Brent

Phillips · Decided June 5, 2018

SUMMARY

This document is an amended notice of appeal filed pro se by Deloris Phillips in connection with a Dallas County family-law matter, Cause No. DF-18-00541. It seeks review of June 2018 orders concerning subpoenas, discovery from Dallas officials and police personnel, school records, and communication with children. The submission includes several trial-court orders, a declaration under penalty of perjury, and certificates of conference and service.

OPINION

PER CURIAM.

Cause No. 05-18-00311-CU IN THE FIFTH COURT OF APPEALS DALLAS COUNTY, TEXAS FILED IN Court of Appeals 052018 In re Deloris Phillips, Petitioner/Appellant. clett Porshala Phillips, Respondent, William Brent, Respondent 0 IN THE DISTRICT COURT DALLAS COUNTY, TEXAS 254th FAMILY COURT HONORABLE DARLENE EWING TRANSFERRED FROM 303rd COURT HONORABLE DENNIESE GARCIA DF-18-00541 APPELLANT'S AMENDED NOTICE OF APPEAL Respectthly and humbly submitted, /s:/ Deloris Phillips Pro Se Petitioner 3101 Luxar Way Dallas.

Texas 75233-1363 Phone: (469) 671-891 Email: deloris_a28 PETITIONER HUMBLYBESEECHING ORAL ARGUMENT Honorable Justices of the Fifth Court of Appeals for Dallas, Texas: COMES NOW the petitioner, self-represented, and files this Notice of Appeal from the judgment signed by the Court on June 04, 2018, appeals to the Fifth Court of Appeals at Dallas County, Texas.

ORDER APPEALED AND ATTACHED As: ORDERS (06.04.2018): Honorable Darlene Ewing (254th District Court) 1) Order denying petitioner's motion for leave to file subpoena school records of children (Bookmark Order pg. 1); 2) Order denying petitioner's motion for leave to file subpoena City of Dallas and DPD's production of records/files/notes regarding the truth of premeditated Green Oaks (10.25.2013), First Interrogatories of all 5 persons involved with direct personal knowledge of prearranged DPD Meeting of 10.25.2013; and compelled testimony of the same 5 persons with personal knowledge of premeditated Green Oaks(Bookmark Order pg.

2); 3) Order withholding petitioner's motion to stay granted motion to confer with children on the record for the record (Bookmark Order pg. 3)and 4) Order Granting City of Dallas's motion to

deny petitioner's motion to compel testimony, first interrogatories, and productions of records regarding premeditated Green Oaks (Bookmark Order pg. 4) - Respectfully and humbly submitted, Is! Debris Phillips Pro Se Petitioner 3101 Luxar Tay Dallas, Texas 7523&1363 Phone: (469) 671-8941 Email: delorisphilJ4*n360@maildp (Date: 06.04;,0 * CAUSE NO.: DF-18-00541 ORDER FOR PETITIONER'S MOTION FOR LEAVE TO SUBPOENA TESTIMONY, PRODUCTION OF RECORDS/NOTES/FILES AND FIRST INTERROGATORIES After considering Appellant, Debris Phillips' motion for leave to subpoena testimony of Dallas' Mayor Michael Rawlings, Dallas Police Officer Cpl.

Herbert Cotner (Badge No. 5611), Dallas Police Officer David Ferguson (Badge No. 8170), Dallas Police Officer Aaron Gajkowski (Badge No. 8796) and the notes of Dallas Police Social Worker Marilu Velei-Thom; production of Dallas Police Department, Dallas City Attorney's Office and the Dallas City Secretary documents/records and first interrogatories for same persons SAID COURT: the motion GRANTS the motion in part (please see separately attached motions for leave to file).

GRANTS the motion in full. SIGNED on of June, 2018 (P\$IDENG JUDGE CAUSE NO.: DF-18-00541 ORDER FOR PETITIONER'S MOTION FOR LEAVE TO SUBPOENA CHILDREN'S SCHOOL RECORDS ATTENDANCE RECORDS, ABSENCES), DISCIPLINARY FILES, REFERRALS AND ALL COUNSELING RECORDS FOR ENTIRE SCHOOL YEAR 2017-18 After considering petitioner Deloris Phillips' motion SAID COURT: DENIES the motion GRANTS the motion in part (please see separately attached motions for leave to file) GRANTS the motion in full SIGNED on of June, 2018 4th (1SD11) JUDGE CAUSE NO.: DF-18-00541 ORDER FOR PETITIONER'S MOTION TO STAY GRANTED MOTION TO CONFERENCE WITH CHILDREN ON THE RECORD FOR THE RECORD After considering petitioner Debris Phillips' motion SAID COURT: rs \ OH S the motion attached motions for leave to file) S the motion in SIGNED on of June, 2018 42a a (SWNG JUDGE CAUSE NO. DF-18-00541 DELORIS PHILLIPS § IN THE DISTRICT COURT Plaintiff, § § DALLAS COUNTY, TEXAS V. § § PORSHALA PHILLIPS, Et AL, § 254th JUDICIAL DISTRICT Defendants ORDER DENYING PLAINTIFF'S MOTION FOR LEAVE TO FILE SUBPOENA REQUESTING PRODUCTION OF DOCUMENTS AND LEAVE TO FILE INTERROGATORIES On this day, the Court heard Plaintiffs "Motion for Leave to File Subpoena Requesting Production of Documents and Leave to File Interrogatories for Each Person with Up, Close and Personal Knowledge/Truth of October 25, 2013".

After consideration of the arguments of Plaintiff, the Court finds that Plaintiffs motion should be DENIED. IT IS THEREFORE ORDERED. ADJUDGED AND DECREED that 'Plaintiffs' Motion for Leave to File Subpoena Requesting Production of Documents and Leave to File

Interrogatories for Each Person with Up, Close and Personal Knowledge/Truth of October 25, 2013” is DENIED.

Plaintiff is ordered not to file any other motion or request for depositions or discovery from the City of Dallas, its officials, or employees and no such motion or request will be considered or set for hearing, the City and/or its officials or employees do not need to respond to or answer any motion or discovery request, and any motion or request shall be deemed denied, if filed.

Signed the day of June 2018. 'i)OOt c_acJ.ç Presiding Judge STATE OF TEXAS DALLAS COUNTY DECLARATION UNDER PENALTY OF PERJURY SWORN UNDER 28 U.S.C. 1746 IN SUPPORT OF APPELLANT’S AMENDED NOTICE OF APPEAL My name is Debris Phillips, my date birth is 03.20.1967, and my address is 3101 Luxar Tay, Dallas, Texas 75233-1363, USA.

The last four of my social security number is 8896. I have personal knowledge of amended notice of appeal. A written declaration under penalty of perjury can be used in place of an Affidavit. Mansions in the Forest, L.P. v. Montgomery Gty., 365 S.W.3d 314, 316 (Tex.2012) and Tex. Civil Prac. & Rem. Code § 132.001. E)CUTED on the 04th day of June 2018. Respectfully and humbly submitted, /s/ Debris Phillips Pro Se Petitioner 3101 Luxar Way Dallas, Texas 75233-1363 Phone: (469) 671-8941 Email: (I QI()11S4) h jiLi) s36(Q iail.con Date: 06.04.2018 CERTIFICATE OF CONFERENCE Petitioner verifies she stated for the record on the record on the record that Notice of Appeal would be filed for all Orders denying motions.

Respectfully and humbly submitted, Is/ Debris Phillips Pro Se Petitioner 3101 Luxar Way Dallas, Texas 75233-1363 Phone: (469) 671-8941 Enail dc1OIiS1)hilliPS3G(Y&1 [,cA Date: 06.04.2018 — -c CERTIFICATE OF SERVICE Petitioner Debris Phillips certifies that true and correct copy of aforementioned writ of mandamus was forwarded to Respondent Porshala Phillips d.I.Lf1J.L1'id]hLcIill and Public Defender Jennifer Perkins via her email Jenniftr.perkins@dallascountv.org Monday, June 04, 2018.

Porshala Phillips dnnvelmoss@vahoo.con porshacIaflas?D,tinai1.curn Jennifer Perkins Jennifer.perkins@dallascountv.org /s/: Debris Phillips Pro Se Petitioner 3101 Luxar Way Dallas, Texas 75233-1363 Phone: (469) 671-8941 Dt Email: (IcJo1'jsl)hj flip,'-3t, ä)inai r Date: 06.04.2018&