

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

K. F. v. Texas Department of Family and Protective Services

No. 03-25-00823-CV (Tex. App.—Austin May 20, 2026) · No. 03-25-00823-CV · Decided May 20, 2026

OPINION

K. F. v. Texas Department of Family and Protective Services

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-25-00823-CV

K. F., Appellant v. Texas Department of Family and Protective Services, Appellee

FROM THE 33RD DISTRICT COURT OF LLANO COUNTY

NO. 22729, THE HONORABLE CHERYLL MABRAY, JUDGE PRESIDING

MEMORANDUM OPINION

K.F. appealed the trial court's final order in the underlying suit affecting the parent-child relationship. The parties have filed an agreed motion requesting remand of this case to the trial court for a new trial. The motion recites the parties' agreement that (1) if the Texas Department of Family and Protective Services continues to pursue a permanent restraining order against K.F., the new hearing on the permanent injunction shall be conducted under the clear-and-convincing-evidence standard required by *Stary v. Ethridge*, 712 S.W.3d 584 (Tex. 2025); and (2) on remand, counsel for K.F. shall be discharged from her appointment, and the trial court shall appoint new counsel to represent K.F. for the new hearing pursuant to Texas Family Code § 107.013. We grant the parties' joint motion, set aside the trial court's judgment without regard to the merits, and remand this case to the trial court for further proceedings in accordance with the parties' agreement. See Tex. R. App. P. 42.1(a)(2)(B). _____

Darlene Byrne, Chief Justice Before Chief Justice Byrne, Justices Theofanis and Crump Vacated and Remanded on Joint Motion Filed: May 20, 2026 2