

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re R.F. and E.F. v. the State of Texas

No. 01-26-00471-CV · No. 01-26-00471-CV · Decided May 28, 2026

SUMMARY

Relators R.F. and E.F. sought a writ of mandamus challenging a district court order directing the issuance of a writ of attachment for a child and compelling rulings on related motions. The First Court of Appeals of Texas denied the petition and all additional requests for relief.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Rivas-Molloy; Justice Johnson; Justice Dokupil
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	May 28, 2026
DOCKET	01-26-00471-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding on relators' petition for writ of mandamus challenging an order for issuance of a writ of attachment and seeking additional relief.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	R.F., E.F. v. The State of Texas

TOPICS

- appellate procedure
- family law procedure
- remedies

PRACTICE AREAS

- civil procedure
- appellate procedure
- family law
- remedies

QUESTIONS PRESENTED

- Whether the Court of Appeals should grant mandamus relief challenging the district court's order for issuance of a writ of attachment.
- Whether the Court of Appeals should compel the district court to rule on relators' Verified Plea to the Jurisdiction and Emergency Motion to Quash Writ of Attachment, to Vacate Order, and for Immediate

Return.

3. Whether the Court of Appeals should grant temporary relief, including a stay of enforcement of the writ of attachment.

HOLDINGS

1. The Court of Appeals denied the petition for writ of mandamus.
2. The Court of Appeals denied all additional requests for relief contained in the petition, including requests to compel rulings and requests for temporary relief.

FACTUAL BACKGROUND

The underlying proceeding concerns a child, A.F., in the 313th District Court of Harris County. The district court entered an April 30, 2026 order providing for immediate issuance of a writ of attachment commanding a sheriff or constable to take possession of the child and deliver the child to the Department of Family and Protective Services. R.F. and E.F. challenged that order through a petition for writ of mandamus.

PROCEDURAL HISTORY

Relators challenged the district court's April 30, 2026 order directing the immediate issuance of a writ of attachment for a child and delivery of the child to the Department of Family and Protective Services. They also sought orders compelling the district court to rule on jurisdictional and emergency motions and requested temporary relief, including a stay. The Court of Appeals denied the petition and all additional requests for relief.

DISPOSITION

writ_denied

OPINION

PER CURIAM.

Opinion issued May 28, 2026 In The Court of Appeals For The First District of Texas NO. 01-26-00471-CV IN RE R.F. AND E.F., Relators Original Proceeding on Petition for Writ of Mandamus MEMORANDUM OPINION Relators R.F. and E.F. filed a petition for writ of mandamus challenging the district court's April 30, 2026 Order for Issuance of Writ of Attachment.¹ The challenged order provides for the immediate issuance of a writ of attachment commanding any sheriff or constable in this state to take possession of the child at 1 The underlying case is In the Interest of A.F., a Child, cause number 2024-00175J, pending in the 313th District Court of Harris County, Texas, the Honorable Natalia Cokinos Oaks presiding. issue in the case and deliver the child to the Department of Family and Protective Services.

Relators further request that our Court (1) compel the district court to "rule on [their] Verified Plea to the Jurisdiction before allowing enforcement of the writ," (2) compel the district court to rule on

their Emergency Motion to Quash Writ of Attachment, to Vacate Order, and for Immediate Return, and (3) grant various requests for temporary relief, including staying enforcement of the writ of attachment.

We deny the petition and all additional requests for relief contained within the petition. PER CURIAM Panel consists of Justices Rivas-Molloy, Johnson, and Dokupil. 2