

TEXAS COURT OF APPEALS, FOURTH DISTRICT, SAN ANTONIO

In the Interest of S.I.S.F., a Child v. .

No. 04-24-00799-CV · No. 04-24-00799-CV · Decided January 28, 2026

SUMMARY

The Fourth Court of Appeals of Texas affirmed a final judgment imposing a geographic residency restriction limiting the child’s primary residence to Bexar County and contiguous counties while the father resides in that area. Applying the abuse-of-discretion standard and the best-interest factors described in *Lenz v. Lenz*, the court held that sufficient evidence supported the restriction, including the father’s stability, extended-family relationships, and ability to maintain visitation and communication.

CASE DETAILS

COURT	Texas Court of Appeals, Fourth District, San Antonio
WRITING FOR THE COURT	Lori Massey Brissette; Irene Rios; Adrian A. Spears II
JURISDICTION	Texas Court of Appeals, Fourth District, San Antonio
DECIDED	January 28, 2026
DOCKET	04-24-00799-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed the final judgment in a suit affecting the parent-child relationship, challenging the geographic restriction limiting the child's primary residence to Bexar County, Texas, and contiguous counties.
STANDARD OF REVIEW	Custody, conservatorship, possession, support, visitation, and geographic-residency decisions are reviewed for abuse of discretion. The appellate court will not find an abuse of discretion unless the trial court acted arbitrarily or unreasonably, without reference to guiding principles, or failed to correctly analyze the law. Legal and factual sufficiency are relevant factors in the abuse-of-discretion review rather than independent grounds of error. A judgment may be set aside only if the error probably caused rendition of an improper judgment or probably prevented the appellant from properly presenting the case.
PRECEDENTIAL VALUE	Published memorandum opinion; precedential status identified as published in the supplied metadata.
PARTIES	Mother v. Father

TOPICS

relocation

child custody

family law procedure

standard of review

appellate procedure

PRACTICE AREAS

Family law

Child custody

Appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by limiting the child's primary residence to Bexar County and contiguous counties.
2. Whether Mother's asserted Dominican Republic domicile or the principle that a child's domicile follows the custodial parent required reversal of the geographic residency restriction.
3. Whether the evidence supported the trial court's determination that the geographic restriction was in the child's best interest and consistent with Texas Family Code section 153.001.

HOLDINGS

1. The trial court did not abuse its discretion by restricting the child's primary residence to Bexar County and contiguous counties.
2. Mother's asserted legal domicile in the Dominican Republic did not require reversal because the restriction did not order her to abandon her residence; it limited relocation of the child based on the child's best interest.
3. Lenz did not require reversal because its jury-verdict rule applied to a materially different procedural posture and did not govern this non-jury trial.

KEY QUOTATIONS

"The trial court has "wide discretion when deciding matters of custody, control, possession, support, or visitation, and we review such matters for an abuse of discretion."" (at 3)

"Any residency restriction imposed on this right is within the trial court's discretion based on the best interest of the child." (at 4)

"We therefore defer to this finding." (at 12)

FACTUAL BACKGROUND

Mother and Father began a long-distance relationship in 2018, and Mother became pregnant in 2019. Mother and the child lived with Father in San Antonio beginning in 2020, and the child was born there in July 2020. After Mother left Father's home in October 2021, she traveled to several locations but ultimately returned to Bexar County, where she and the child lived through trial. Mother sought permission to relocate with the child to the Dominican Republic or Florida, while Father presented evidence of his stable San Antonio residence, extensive local family ties, and inability or unwillingness to relocate.

PROCEDURAL HISTORY

Father filed an original petition in a suit affecting the parent-child relationship in the 150th Judicial District Court of Bexar County. After temporary orders and a multi-day non-jury trial, the trial court named Mother sole managing conservator with the exclusive right to determine the child's residence within Bexar County and contiguous counties while Father resided in that area, and designated Father possessory conservator. The trial court denied Mother's motions for reconsideration and new trial, and Mother timely appealed.

DISPOSITION

affirmed

CASES CITED

- In re E.N.E.P., 719 S.W.3d 660, 663-64 (Tex. App.—San Antonio 2025, no pet.)
- In re J.A.V., No. 04-21-00084-CV, 2022 WL 379316, at *1 (Tex. App.—San Antonio Feb. 9, 2022, no pet.) (mem. op.)
- In re T.M.P., 417 S.W.3d 557, 562-63 (Tex. App.—El Paso 2013, no pet.)
- Lenz v. Lenz, 79 S.W.3d 10, 14-19 (Tex. 2002)
- Sanchez v. Sanchez, No. 04-06-00469-CV, 2007 WL 1888343, at *3 (Tex. App.—San Antonio July 3, 2007, pet. denied)
- In re K.L.W., 301 S.W.3d 423, 425-26 (Tex. App.—Dallas 2009, no pet.)
- Holley v. Adams, 544 S.W.2d 367, 371-72 (Tex. 1976)
- In re T.D.L., 621 S.W.3d 346, 352 (Tex. App.—San Antonio 2021, no pet.)
- In re M.M.M., 307 S.W.3d 846, 849 (Tex. App.—Fort Worth 2010, no pet.)
- Everson v. Boydston, 377 S.W.2d 117, 119 (Tex. App.—El Paso 1964, no writ)
- Peacock v. Bradshaw, 145 Tex. 68, 74, 194 S.W.2d 551, 554 (1946)
- Fluor Corp. v. E.D.G.M., No. 05-19-00921-CV, 2022 WL 1222713, at *1-2 (Tex. App.—Dallas Apr. 26, 2022, no pet.)
- In re C.M.G., 339 S.W.3d 317, 320-21 (Tex. App.—Amarillo 2011, no pet.)
- In re S.M.D., 329 S.W.3d 8, 22 (Tex. App.—San Antonio 2010, pet. dismiss'd)
- In re D.C., No. 05-12-01574-CV, 2014 WL 1887611, at *7 (Tex. App.—Dallas May 9, 2014, no pet.)