

**NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA**NCP Name: *KIONDRE SHAQUILLE MODLEY*CP Name: *SARAH SHAREKA WILLIAMS*OAG Number: **0014322284**LAC: **RRMO****CAUSE NUMBER 233-724360-22**

IN THE INTEREST OF § IN THE \_\_\_\_\_ *DISTRICT COURT*  
*KIERSTEN SANAI MODLEY* § OF  
 A CHILD § *TARRANT COUNTY, TEXAS*

**SUIT FOR MODIFICATION OF CHILD SUPPORT ORDER (UIFSA)**

1. The OFFICE OF THE ATTORNEY GENERAL, representing the State of Texas as a Support Enforcement Agency pursuant to Texas Family Code Chapter 159, and providing services pursuant to Texas Family Code Chapter 231, files this pleading for which discovery is intended to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure. Attached and incorporated by reference is an interstate family support petition. The OFFICE OF THE ATTORNEY GENERAL is assigned the support and enforcement rights in this case.

**JURISDICTION**

1. This Court has, or should assume, jurisdiction over *KIONDRE SHAQUILLE MODLEY* pursuant to Texas Family Code Chapter 159.

**CHILDREN**

2. The following child residing in *TX* is the subject of this suit:

| Name                  | Sex | DOB        | Birthplace                   |
|-----------------------|-----|------------|------------------------------|
| KIERSTEN SANAI MODLEY | F   | 12/17/2015 | CLEVELAND, .OUT OF STATE, MS |

No property, other than personal effects, is owned by any child, subject of this suit.

**PERSONS ENTITLED TO NOTICE**

3. *KIONDRE SHAQUILLE MODLEY*, age 28, the *father* of the child, resides in *DESOTO, TX*. The OFFICE OF THE ATTORNEY GENERAL requests the issuance and service of process on this person in accordance with the attached service information sheet.

**JURISDICTION TO MODIFY PRIOR SUPPORT ORDERS**

4. Pursuant to Chapter 159, Texas Family Code, this Court has, or should assume, continuing exclusive jurisdiction to modify prior child support orders.

**ORDER TO BE MODIFIED**

5. The order to be modified is entitled JUDGEMENT FOR SUPPORT AND OTHER RELIEF and was signed on 8/9/2016.

### **MODIFICATION**

6. The circumstances of the child or a person affected by the order to be modified have materially and substantially changed since rendition of the order, or it has been three years since the order was rendered or last modified and the monthly amount of the child support award under the order differs by either 20 percent or \$100 from the amount that would be awarded in accordance with the child support guidelines. The Court should modify an order that provides for the support of a child, including an order for health and dental care coverage under Chapter 154, as follows:

- A. appropriate current child support should be ordered pursuant to Texas Family Code Chapter 154;
- B. appropriate provisions regarding health care coverage and for allocation of the reasonable and necessary health care expenses of the child that are not reimbursed by health care coverage should be ordered pursuant to Texas Family Code Chapter 154. In addition, the Court should order health and dental care coverage, including any employment-related or other group health and dental care coverage that is available to the parent;
- C. all provisions for the support of the child should be ordered extended to the maximum duration permitted by the law of the state that issued the controlling child support order; and/or
- D. temporary orders pursuant to Texas Family Code § 155.005 and § 156.006 should be granted for the welfare of the children by ordering child support, medical support, dental support, and uninsured expenses while this case is pending.

The Court should modify the support order as to obligations accruing after the earlier of the date of service of citation or appearance on this motion.

### **WITHHOLDING FROM EARNINGS FOR SUPPORT**

7. The Court should order all support withheld from disposable earnings pursuant to Texas Family Code Chapter 158 and § 159.305(b)(3). The Court should order all payments of support processed pursuant to Texas Family Code Chapter 231 for distribution according to law. If appropriate, the Court should order *KIONDRE SHAQUILLE MODLEY* to post a bond or security.

### **COSTS**

8. The Court should order *KIONDRE SHAQUILLE MODLEY* to pay costs of this proceeding.

## REQUEST FOR PRODUCTION OF DOCUMENTS

9. *KIONDRE SHAQUILLE MODLEY* has in his possession documents that will show the nature and extent of his ability to pay child support. The OFFICE OF THE ATTORNEY GENERAL, pursuant to Rule 196, Texas Rules of Civil Procedure, requests him to produce and permit the OFFICE OF THE ATTORNEY GENERAL to inspect and copy the originals, or true copies, of the following documents in his possession, custody, or control showing income received, including but not limited to:

- (1) income tax returns for the previous two years, including the same for a party's DBA or sole-proprietorship (including Schedule C). If no return has been filed, then Form W-2, Form 1099, and Schedule K-1 for such years;**
- (2) all payroll check stubs received in the prior three months (including military LES); and**
- (3) all policies, statements, and the summary description of benefits for any medical, dental, and health insurance coverage that is or would be available for the child.**

The OFFICE OF THE ATTORNEY GENERAL requests production of the specified documents at:

The Office of the Attorney General  
CHILD SUPPORT OFFICE  
2001 BEACH ST STE 800  
FT WORTH, TX 76103-2300  
or  
CSD-legal-914@oag.texas.gov

on or before 3:00 p.m. on the 30th day following the date of service of this request. If not provided prior to the initial hearing, the OFFICE OF THE ATTORNEY GENERAL may request the Court order *KIONDRE SHAQUILLE MODLEY* to provide additional financial information pursuant to Texas Family Code § 154.063.

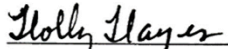
## PRAYER

The OFFICE OF THE ATTORNEY GENERAL prays that the Court grant all relief requested herein. The OFFICE OF THE ATTORNEY GENERAL prays for general relief.

Respectfully submitted,

Ken Paxton  
Attorney General of Texas

Brent Webster  
First Assistant Attorney General

  
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