

# FORT WORTH METRO

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TARRANT COUNTY  
12/29/2022 10:49 AM  
THOMAS A. WILDER  
DISTRICT CLERK

## NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NCP Name: *CHARLES RAY JENKINS JR*

CP Name: *LATOYA SMIKLE*

OAG Number: **0014137410**

LAC: **AOPP**

**CAUSE NUMBER** 324-727828-22

IN THE INTEREST OF

§ IN THE \_\_\_\_\_ DISTRICT COURT

*CAYDEN JENKINS*

§

*CHARLES RAY JENKINS III*

§ OF

CHILDREN

§ *TARRANT COUNTY, TEXAS*

## ORIGINAL PETITION IN SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP (AOP)

1. The OFFICE OF THE ATTORNEY GENERAL, representing the State of Texas, files this pleading pursuant to Texas Family Code Chapter 231 for which discovery is intended to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure. The OFFICE OF THE ATTORNEY GENERAL is assigned the support and enforcement rights in this case.

## JURISDICTION

2. No Court has continuing jurisdiction of this suit or of the children the subject of this suit. There are no court-ordered conservatorships, guardianships, or other court-ordered relationships affecting the children the subject of this suit.

## CHILDREN

3. The following children are the subject of this suit:

| Name                    | Sex | DOB        |
|-------------------------|-----|------------|
| CAYDEN JENKINS          | M   | 10/17/2016 |
| CHARLES RAY JENKINS III | M   | 12/25/2018 |

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

## PERSONS ENTITLED TO NOTICE

4. The children reside with the *mother*, *LATOYA SMIKLE*, a resident of Texas. The OFFICE OF THE ATTORNEY GENERAL requests the issuance and service of process on this person in accordance with the attached service information sheet.
5. The *father* of the children is *CHARLES RAY JENKINS JR*, a resident of Texas. The OFFICE OF THE ATTORNEY GENERAL requests the issuance and service of process on this person in accordance with the attached service information sheet.

## **DETERMINATION OF DISCLOSURE OF ADDRESS**

6. The Court should enter appropriate orders concerning the disclosure of the addresses of the parties.

## **PARENTAGE**

7. Parentage of the child(ren), *CAYDEN JENKINS*, subject of this suit, was established when a properly executed Acknowledgment of Paternity was filed with the Vital Statistics Unit pursuant to Texas Family Code, Chapter 160. Attached as **EXHIBIT A**, is a copy of the Acknowledgment of Paternity.

## **CONSERVATORSHIP**

8. Because the parents of the children are separated, the Court should appoint appropriate conservators pursuant to Texas Family Code § 153.005.

## **SUPPORT**

9. The Court should order appropriate current and retroactive child, medical, and dental support for the children, including temporary support pursuant to Texas Family Code §§ 160.624 and 105.001. In determining the amount of retroactive support the Court should consider the duty of parents to support their minor children, and all applicable provisions of the Texas Family Code. In addition, the Court should order medical support and dental support, including any employment-related or other group health insurance and group dental insurance that is available to the parent.

## **WITHHOLDING FROM EARNINGS FOR SUPPORT**

10. The Court should order all support withheld from disposable earnings pursuant to Texas Family Code § 158.006. 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 *CHARLES RAY JENKINS JR* to post a bond or security.

## **REQUEST FOR PRODUCTION OF DOCUMENTS**

11. *CHARLES RAY JENKINS JR* 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 children.**

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 *CHARLES RAY JENKINS JR* to provide additional financial information pursuant to Texas Family Code § 154.063.

#### **COSTS**

12. The Court should order *CHARLES RAY JENKINS JR* to pay costs of this proceeding.

#### **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

Holly Hayes  
Holly Hayes SBN# 24110698

TAMEKA D BOYD - SBN: 24027406  
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ATTORNEY OF RECORD

CHILD SUPPORT ENFORCEMENT

*CHILD SUPPORT OFFICE*

*2001 BEACH ST STE 800*

*FT WORTH TX 76103-2300*

Email CSD-legal-914@texasattorneygeneral.gov

Telephone No. (817)926-7197

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**STATE OF TEXAS  
ACKNOWLEDGMENT OF PATERNITY**

2381324

**This is a legal document. Type or Print in black ink. Parents are to be given a copy of this completed document.**

|  |                           |            |                          |       |          |
|--|---------------------------|------------|--------------------------|-------|----------|
| We declare under penalty of perjury that | <u>CHARLES</u>            | <u>RAY</u> | <u>JENKINS JR</u>        |       |          |
| is the biological father of              | Biological Father's first | middle     | last name                |       |          |
|  | <u>CHARLES</u>            | <u>RAY</u> | <u>JENKINS III</u>       |       |          |
| born on [REDACTED], in                   | FORT WORTH                | TARRANT    | TEXAS                    |       |          |
| to                                       | LATOYA                    | SMIKLE     | SMIKLE                   |       |          |
| Mother's first                           | middle                    | last name  | maiden name if different |       |          |
| Father's date of birth                   | social security number    | address    | city                     | state | zip code |
| Mother's date of birth                   | social security number    | address    | city                     | state | zip code |

We further declare under penalty of perjury that:

- ◆ We have been given written and oral notice of the benefits of having paternity established; the availability of paternity establishment and child support services; and the legal consequences of, the rights and responsibilities of, and the alternative to signing this Acknowledgment.
- ◆ No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed.
- ◆ There is no court order naming another man as the biological father of this child.
- ◆ A genetic test has not determined that another man is the biological father of this child.

**Fill one circle by the correct statement from EACH of the following:**

|  |                          |  |
|--|--------------------------|--|
| <input checked="" type="radio"/> There has not been genetic testing of the man listed  | <input type="radio"/> or | <input type="radio"/> Genetic testing has determined that the man listed above is the biological father of this child.   |
| <input type="radio"/> The mother was not married to someone other than the biological father at the time of the child's birth or within 300 days prior to the child's date of birth, or there is a court order that states that the man the mother was married to is not the father of the child, and during the first two years of the child's life, no man continuously lived with the child and represented the child as his own. |                          | <input type="radio"/> The mother was married to someone other than the biological father at the time of the child's birth or during the 300 days before the child's birth or during the first two years of the child's life, a man continuously lived with the child and represented the child as his own; and that man has completed the Denial of Paternity below or has a Denial of Paternity filed with the Vital Statistics Unit. |

Full Signature of Biological Father

date

Full Signature of Mother

date

\*\*\*\*\*  
**Denial of Paternity** (only required if "mother was married to someone other than the biological father or if, during the child's first two years of life, a man continuously lived with the child and represented the child as his own" is checked.)

We declare under penalty of perjury that

Presumed Father's first middle last name  
 the presumed father of the child, is not the biological father. We understand that filing of this denial with an acknowledgment removes the presumed father's legal duty to support the child and terminates his right of custody or visitation with the child.

Full Signature of Presumed Father

date

Full Signature of Mother

date

Presumed Father's date of birth social security number

Presumed Father's address city

state zip code

 Texas Department of State Health Services  
 Vital Statistics  
 VS-159.1F Revised 09/2011

Entity Code

39966

1390

EXHIBIT

A

