

**NOTICE: THIS DOCUMENT  
CONTAINS SENSITIVE DATA**

**NO. CV18-02-126**

**IN THE INTEREST OF**

**IAN EDWARD CRUZ**

**A CHILD**

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**IN THE \_\_\_\_\_ COUNTY COURT**

**AT LAW #2**

**WISE COUNTY, TEXAS**

**PETITIONER'S DECLARATION IN SUPPORT**

Matthew Dewayne Porter appeared in person before me today and stated under oath:

"My name is Matthew Dewayne Porter. I am above the age of eighteen years, and I am fully competent to make this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

I am the father of the subject child and the Petitioner in this case. Rebecca Jolene Nance ("Rebecca") is the mother of the child and the Respondent.

Rebecca has proven herself unfit by first getting CPS involved for domestic violence with her boyfriend Christopher Batts, then failing a drug test administered by CPS. My child was then placed in with a non-parent caregiver without any notification to me. This placement occurred sometime last fall.

· Since this time, Rebecca has been arrested again on January 8, 2019, along with Christopher Batts, for possession of controlled substance and burglary of a habitat. That case is currently pending and she is currently incarcerated in Tarrant County.

· I have always tried to visit with my son and have been denied at every attempt. I even contacted the Attorney General to set up child support so that I could get visitation with my son. I have not been allowed access, even since having the order in place.

My son is now staying with the father of Rebecca's other children and I know very little about this man other than he has a criminal history. This placement presents a danger to the emotional and perhaps physical development and welfare of my child. He needs to be with me, his biological father.

· I have a steady income and the ability to continue to support my son. I do currently pay child support to Ian's mother and I pay for his health insurance as well. I am fully prepared to take on the responsibility of my son.

· CPS was baffled when I contacted them. Rebecca told them I was a non-present parent and had nothing to do with Ian. I invited CPS in my home and let them see my house and passed a drug test for them. They still don't seem to care and say that even though Rebecca does not have possession of Ian that she still has the right to choose where and with whom Ian stays, and I continue to get denied visitation which is why I am now taking legal action and requesting this Honorable Court to appoint me as the managing conservator with the exclusive right to designate the residence of my son."

Respectfully Submitted,

/s/ Matthew Dewayne Porter  
Matthew Dewayne Porte