Filed 2/9/2018 8:35 AM Brenda Rowe, District Clerk Wise County, Texas By: Kristi Polone

FORT WORTH METRO

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NCP Name: *MATTHEW DEWAYNE PORTER* CP Name: *REBECCA JOLENE NANCE*

OAG Number: **0013675931**

LAC: **PATY**

CAUSE NUMBER CV18-02-126			
IN THE INTEREST OF	§ IN THE	DISTRICT COURT	
IAN EDWARD CRUZ	§	OF	
A CHILD	<i>§ WISE</i> COUNTY, T	WISE COUNTY, TEXAS	

PETITION TO ESTABLISH THE PARENT-CHILD RELATIONSHIP

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.

JURISDICTION

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

CHILDREN

3. The following child is the subject of this suit:

Name	Sex	DOB
IAN EDWARD CRUZ	M	12/7/2016

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

PERSONS ENTITLED TO NOTICE

- 4. The child resides with the *mother*, *REBECCA JOLENE NANCE*, 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 child is *MATTHEW DEWAYNE PORTER*, 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 PARENTAGE

6. The Court should determine the parentage of the child subject of this suit. If any party denies parentage, the Court should immediately order parentage testing. The Court should order how such fee should be paid and tax the fee as court costs.

CONSERVATORSHIP

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

NAME CHANGE

8. The Court should consider whether good cause exists to change the surname of the minor child to reflect parentage, if established, and enter an order concerning the name of the child pursuant to Texas Family Code Chapter 160.

SUPPORT

9. The Court should order appropriate current and retroactive child and medical support for the child, 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 child, and all applicable provisions of the Texas Family Code. In addition, the Court should order medical support, including any employment-related or other group health 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 *MATTHEW DEWAYNE PORTER* to post a bond or security.

REQUEST FOR PRODUCTION OF DOCUMENTS

11. MATTHEW DEWAYNE PORTER 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: (a) his IRS federal tax returns for the past two years with all schedules included with the returns and all W-2s and 1099s attached to such returns, (b) any and all W-2 statements, all 1099s, and all documents showing income received by Respondent from any source for the two tax years preceding the date of filing of this action, (c) all payroll stubs, vouchers, records of commissions and all other written records or evidence of income received by him within the last six months, (d) the most recent Social Security Administration Form SSA-7005, showing his income history, sent to him three months before his last birthday, (e) statements of accounts for all checking or saving accounts in which he has held an interest within the last six months, (f) all evidence (policies, premium schedules, records of premiums paid, etc.) of health insurance available at his place of employment that may provide coverage for dependent children, (g) copies of loan applications made within the last six months, (h) current statement of benefits and account balances for all retirement, pension, or profit-sharing plans in which the respondent has accrued or may accrue benefits, regardless if such benefits have vested, including but not limited to employer- or union-sponsored defined benefit or defined contribution plans and individual retirement accounts (IRAs), and (i) summary plan description of all retirement, pension, or profit-sharing plans in which the respondent has accrued or may accrue benefits, regardless if such benefits have vested. 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

on or before 3:00 p.m. on the 50th day following the date of service of this request.

COSTS

12. The Court should order MATTHEW DEWAYNE PORTER 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

Jeffrey C. Mateer First Assistant Attorney General

Megan E. Leger SBN 24087911 CSD-Legal-914@texasattorneygeneral.gov

TAMEKA D BOYD - SBN: 24027406 DANA D CLARK - SBN: 00785766

DEBORAH A MCKINNEY - SBN: 24035620

KC ODOM - SBN: 24035459 KRISTI ORTH - SBN: 15323060 ASHLEY CARROLL - SBN: 03884400

SEAN COOK - SBN: 24032095 KELLEY GREENWOOD - SBN: 00787591 PAULA CROCKETT - SBN: 00798123 LYNNE GERGANESS - SBN: 00793799 TAYLER NICHOLS - SBN: 24099755 AGHABIE OBISESAN - SBN: 24047650

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 Toll Free 1(800)252-8014 Fax No. (817)258-2020