

IN THE INTEREST OF

\*

IN THE DISTRICT COURT

\*

HALEY A. NICHOLS AND  
KYLEE P. NICHOLS

\*

408TH JUDICIAL DISTRICT

\*

CHILDREN

\*

BEXAR COUNTY, TEXAS

**ORDER OF TERMINATION NUNC PRO TUNC**

This Order of Termination Nunc Pro Tunc is entered to reflect that the Order of Termination was judicially PRONOUNCED AND RENDERED in court at San Antonio, Bexar County, Texas, on June 20, 2012, and not on March 1, 2012, as indicated on the original Order of Termination.

*1. Date of Mediation/Hearing*

On 19 September 2011, this lawsuit was mediated by the parties at the Law Freddy B. Ruiz, wherein the Honorable Pat Boone served as the mediator. **Said mediation involved all claims and controversies pertaining to conservatorship, child support, health insurance, possession and access, attorney’s fees, and injunctive relief.**

A mediated settlement agreement was reached by the parties, and said agreement contained the statutory requirements wherein the "AGREEMENT IS NOT SUBJECT TO REVOCATION."

Accordingly, the parties agreed that the "Order of Termination" would become effective on 1 March 2012, subject to the terms contained herein.

*2. Appearances*

Petitioner, DORA LEE SHAW, appeared in person and through attorney of record, James E. Monnig, and announced that an Agreed Order via mediated settlement was reached.

Respondent, TIMOTHY DEAN NICHOLS, appeared in person and through attorney of record, Freddy B. Ruiz, and announced that an Agreed Order via mediated settlement was reached.

The Court finds that DORA LEE SHAW, the children's maternal grandmother, who satisfies the standing requirements contained in the Texas Family Code, is a party to the suit, and has no interest adverse to the children the subject of this suit and would adequately represent the interest of the children. No attorney ad litem or amicus attorney was necessary, and none was appointed.

3. *Jurisdiction*

The Court, after examining the record and hearing the evidence and argument of counsel, finds that it has jurisdiction of this case and of all the parties and that no other court has continuing, exclusive jurisdiction of this case. All parties entitled to citation were properly cited.

4. *Jury*

A jury was waived, and all questions of fact and of law were submitted to the Court.

5. *Record*

The record of testimony was duly reported by the court reporter for the \_\_\_\_\_ Judicial District Court.

6. *Children*

The Court finds that the following children are the subject of this suit:

NAME:	HALEY A. NICHOLS
SEX:	Female
BIRTH DATE:	August 3, 1994

NAME:	KYLEE P. NICHOLS
SEX:	Female
BIRTH DATE:	March 21, 2001

7. *Termination*

Biological father.

The Court finds that, based upon the evidence before the Court, and after taking judicial notice of the case file contained in the Bexar County District records, it is in the children's best interest that TIMOTHY DEAN NICHOLS' parental relationship with the children be terminated.

IT IS THEREFORE ORDERED that the parent-child relationship between TIMOTHY DEAN NICHOLS and the children the subject of this suit is terminated.

8. *Managing Conservator*

IT IS ORDERED that DORA LEE SHAW is appointed the Sole Managing Conservator of the children the subject of this suit, the Court finding this appointment to be in the best interest of the children.

9. *Attorney's Fees*

IT IS ORDERED that each party shall pay their own attorney's fees and costs associated with this lawsuit.

10. *Injunctive Relief*

IT IS ORDERED that the parties are enjoined from using vulgar and obscene language, and from also contacting any party's employer.

11. *Arbitrator*

IT IS ORDERED that the Honorable Pat Boone shall serve as the Arbitrator to resolve any disputes regarding the drafting or interpretation of the "Order of Termination," and his decision shall be binding upon the parties to this lawsuit.

12. *Waiver of All Claims and Causes of Action*

IT IS ORDERED that all claims and causes of action, known or unknown, by either party, whether in tort or in contract, are herein discharged and forever barred assuming the conditions set forth in this order are satisfied:

Condition 1: IT IS ORDERED that TIMOTHY DEAN NICHOLS shall pay to DORA LEE SHAW the sum of \$46,500.00 on or before 1 March 2012.

Condition 2: IT IS ORDERED that TIMOTHY DEAN NICHOLS continues to maintain health insurance for the children through 29 February 2012, and pays all medical and dental costs incurred by or on behalf of both the children.

Condition 3: IT IS ORDERED that TIMOTHY DEAN NICHOLS shall pay to DORA LEE SHAW, on or before 1 March 2013, as additional child support, the sum of \$10,500.00 representing child support.

Condition 4: IT IS ORDERED that all payments described herein are child support and are enforceable by contempt, and all other remedies under the Texas Family Code.

Condition 5: IT IS ORDERED that TIMOTHY DEAN NICHOLS shall pay to DORA LEE SHAW the sum of \$1,072.00 representing medical expenses incurred by the children upon being presented statements for said services within 30 days.

Condition 6: IT IS ORDERED that TIMOTHY DEAN NICHOLS shall continue to pay child support to DORA LEE SHAW, for the benefit of the children, in the sum of \$1,545.00 per month continuing on 1 October 2011 through 29 February 2012.

Condition 7: IT IS ORDERED that DORA LEE SHAW shall provide TIMOTHY DEAN NICHOLS with all of the children's medical records forming the basis for any reimbursement monies.

13. *Costs*

IT IS ORDERED that all costs of court expended in this case are to be paid by the party who incurred the cost.

14. *Relief Not Granted*

IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

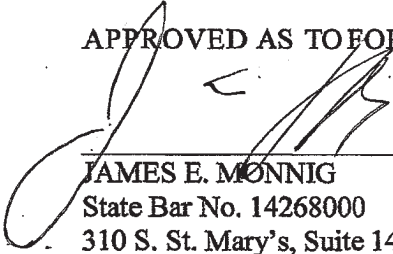
This Order of Termination Nunc Pro Tunc judicially PRONOUNCED AND RENDERED in court at San Antonio, BEXAR County, Texas, on June 20, 2012, but signed on

~~AUG 24 2012~~

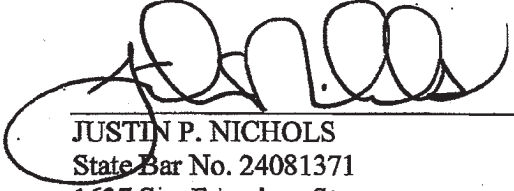
**JOHN D. GABRIEL**  
**131<sup>ST</sup> DISTRICT COURT**

JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
**JAMES E. MONNIG**  
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ATTORNEY FOR HALEY A. NICHOLS



Aug. 13. 2012 4:37PM

No. 8336 P. 7/7

14. *Relief Not Granted*

IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

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