

**CAUSE NO. 2020-61396**

**MARIO TORRES and ANA  
PATRICIA TORRES, individually and  
A/N/F of N.T., a minor,  
Plaintiffs,**

**v.**

**TEXAS CHILDREN’S HOSPITAL,  
and DR. JOHN DOE and DR. JANE  
DOE,**

**Defendants.**

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**IN THE DISTRICT COURT**

**HARRIS COUNTY, TEXASA**

**234<sup>th</sup> JUDICIAL DISTRICT**

**NOTICE OF ACCELERATED INTERLOCUTORY APPEAL  
OF DENIAL OF TEMPORARY INJUNCTION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Pursuant to Texas Rules of Appellate Procedure Rule 25.1 (a), the Plaintiffs, MARIO TORRES and ANA PATRICIA TORRES, individually and A/N/F of N.T., (“Plaintiffs”), hereby file this NOTICE OF ACCELERATED INTERLOCUTORY APPEAL regarding DENIAL of TEMPORARY INJUNCTION, and would show as follows:

1. This appeal is accelerated. It is not a parental termination or child protection case.
2. On Friday, October 2, 2020, at approximately 4:00pm this Honorable Court, in open court, verbally announced its determination that it was refusing a petition for temporary injunction made by the Plaintiffs. An Order was thereafter signed and entered same date, denying their petition for temporary injunction.
3. This Court however wisely issued a temporary stay of its interlocutory order until Monday, October 5, 2020, at 12:00pm. At that time, the Defendant will no longer be enjoined or prohibited from taking any action it deems lawful or necessary concerning Baby Nick.

4. The Plaintiffs desire to appeal from the October 2, 2020 Order to the First or Fourteenth Court of Appeals, Houston, Texas, seeking emergency relief from the Order issued by this Court.

5. The Texas Civil Practice and Remedies Code provides that a person may appeal from an interlocutory order of a district court that grants or refuses a temporary injunction. Tex. Civ. Prac. & Rem. Code § 51.014(a)(4). A filing of a notice of appeal under Section 51(a)(4) does not stay the proceedings in the District Court or divest it of jurisdiction. § 51.014(b)(rule establishes automatic stay, except in cases of interlocutory appeals regarding temporary injunctions "under Subsection (a)(4)").

6. An appeal is perfected when a written notice of appeal is filed with the trial court clerk. Tex. R. App. P. 25.1(a). And the filing of a notice of appeal invokes the appellate court's jurisdiction over all parties to the trial court's interlocutory order appealed from. Id. 25.1(b). A party who seeks to alter the trial court's appealable order must file a notice of appeal. Id. 25.1(c).

7. The appeal will be accelerated one.

8. The Plaintiffs have not filed any postjudgment motions as no judgment has been issued by this Honorable Court and the Order at issue is an interlocutory order. Given the urgent nature of this matter, the Plaintiffs have also not requested any findings of fact or conclusions of law.

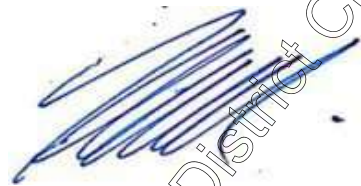
9. This notice shall be served on all parties through attorneys who have entered an appearance in this case, as shown in the certification below.

10. This notice of appeal shall also be delivered to the court reporter responsible for preparing the record, in this case Mr. Carl R. Browning, by email at: Carl\_Browning@justex.net.

WHEREFORE, premises considered, the Plaintiffs hereby give said Notice of Appeal to this Honorable Court.

Respectfully submitted,

THE GONZALEZ LAW GROUP, PLLC



By: \_\_\_\_\_

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Unofficial Copy Office of Marilyn R. ... District Clerk

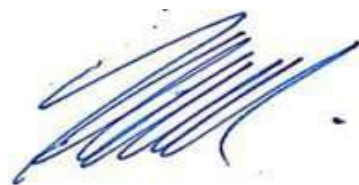
**CERTIFICATE OF SERVICE**  
**AND NOTICE OF NOTICE**

I, Kevin Acevedo, hereby certify that today, October 4, 2020, a copy of the foregoing was served via email upon the following:

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**And**

Carl R. Browning (Carl\_Browning@justex.net)  
Court Reporter 295<sup>th</sup> District Court, Harris County



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Kevin Acevedo  
Attorney for Plaintiffs

Unofficial Copy Office of Marilyn Burgess District Clerk