

CAUSE NO. #####

|                             |   |                         |
|-----------------------------|---|-------------------------|
| YOUR CASE STYLING GOES HERE | § | IN THE DISTRICT COURT   |
|                             | § |                         |
| EXACTLY AS IT NORMALLY ALSO | § | 999th JUDICIAL DISTRICT |
|                             | § |                         |
| APPEARS ON OTHER CASE DOCS  | § | XXXXXX COUNTY, TEXAS    |

**Plea to the Jurisdiction with Motion for Continuance**

COMES NOW FirstName LastName, PartyLabel herein, on behalf of AG Paxton, moving the Court to stay and/or abate any other issues currently pending in these matters, due to plea to the jurisdiction raising various facial challenges to the Texas state statute(s) upon which this entire case is based, which issues can *only* be addressed by AG Paxton’s Office, by stating thusly:

MY PLEA TO THE JURISDICTION IS NOW THE EXCLUSIVE PRIORITY HEREIN

Yesterday, the undersigned filed my Motion to Vacate All Child-Related Orders for Lack of Jurisdiction with the obligatory official Texas state form for challenging state statutes accompanying the same Motion, as well as a summary Notice of Constitutional Challenges to Texas State Statutory Schemes. See the Docket for all three (3) said Oct. 6th, 2025 entries.

Thereby, I have formally raised herein, all in the manner as by law prescribed, multiple facial constitutional challenges to the assorted repugnant Texas state statutes complained of, and regardless of any pending matters herein, after filing said challenges, all other matters must wait.

Those constitutional challenges (pleas) to the jurisdiction of this Court take precedence and priority over any and all other claims and issues raised, bar none. The trial court must determine at its earliest opportunity whether it has the constitutional or statutory authority to decide the case *before* allowing the litigation to proceed. *Texas Dept. Parks and Wildlife v. Miranda*, 133 SW 3d 217, 226 (Tex. 2004), citing *Austin & N.W.R. Co. v. Cluck*, 97 Tex. 172, 77 S.W. 403,

405 (1903) (“[T]here can be no doubt that the courts of Texas must look to the Constitution of this state, the enactments of the Legislature, and the common law for their authority to proceed ....);” *see also State Bar of Tex. v. Gomez*, 891 S.W.2d 243, 245 (Tex.1994) (“As a general proposition, before a court may address the merits of any case, the court must have jurisdiction over the party or the property subject to the suit, jurisdiction over the subject matter, jurisdiction to enter the particular judgment, and capacity to act as a court.”)

A court must not act without determining that it has subject-matter jurisdiction to do so, and it should hear evidence as necessary to determine the issue *before* proceeding with the case. *Bland Independent School Dist. v. Blue*, 34 SW 3d 547, 553-554 (Tex. 2000); *Sykes v. State*, 652 S.W.2d 791, 793 (Tex. App.—Houston [1st Dist.] 1983, no writ); *Ex parte Garza*, 593 S.W.2d 114, 118 (Tex. Civ. App.—Amarillo 1979) (“Jurisdictional issues must be resolved as a threshold matter to ensure the validity of subsequent rulings.”); *Mapco, Inc. v. Carter*, 817 S.W.2d 686, 687 (Tex. 1991) (“Orders issued without jurisdiction are void.”); *In re United Servs. Auto. Ass’n*, 307 S.W.3d 299, 307 (Tex. 2010) (“Jurisdictional defects cannot be waived and must be addressed as a threshold matter.”) *See also*, Tex. Jur. 3d. Due Order of Pleading § 152.

Subject matter jurisdiction cannot be waived or conferred by agreement, can be raised at any time, and must be considered by a court *sua sponte*. *Univ. of Tex. Sw. Med. Ctr. at Dallas v. Loutzenhiser*, 140 S.W.3d 351, 358 (Tex. 2004); *see also Dubai Petroleum Co. v. Kazi*, 12 S.W.3d 71, 76 (Tex. 2000) (explaining that subject matter jurisdiction “cannot be conferred upon any court by consent or waiver”). A judgment rendered without subject-matter jurisdiction is a legal nullity that cannot be ratified by time, procedural devices, or judicial intent. *PNS Stores, Inc. v. Rivera*, 379 S.W.3d 267, 273 (Tex. 2012).

A court may not exercise judicial power until all threshold jurisdictional challenges are resolved. *Tex. Ass'n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 446 (Tex. 1993).

The Court's failure to resolve the pending jurisdiction challenges before proceeding to any other matter would constitute clear reversible error. *In re Yancey*, 550 S.W.3d 671, 673 (Tex. App.—Tyler 2017, orig. proceeding); *City of Houston v. Rhule*, 417 S.W.3d 440 (Tex. 2013).

ONLY AG PAXTON'S OFFICE MAY DEFEND SAID PLEA TO THE JURISDICTION

**Other Parent** has no authority to address said Motion to Vacate All Child-Related Orders for Lack of Jurisdiction, because it is solely about challenging the constitutionality of state statutes.

*Only* the Texas Attorney General has the **sole and exclusive** province, authority and power to defend the constitutionality of state statutes. *See*, the Texas Constitution, Article IV, Section 22, also Texas Government Code, Title 4, Chapter 402, Section 402.010, and plethora of case law.

If **Other Parent** attempted to impersonate the function of the Attorney General in this most important matter of statewide public importance, **s/he** would be guilty of a third degree felony in violation of Texas Penal Code, Section 37.11(2), after already now being so duly advised herein.

THE COURT MUST ALLOW AG PAXTON A MINIMUM OF FORTY-FIVE (45) DAYS

Texas law mandates that AG Paxton be afforded a minimum of forty-five (45) days *\*after\** being served Notice of said facial challenges raised to state statutes in which to defend against same, *see* Texas Government Code Section 402.010(b), and of course the Office of the Attorney General may defend sooner if it is willing and able.

Accordingly, the Court should not entertain any other matters, but first allow at least no less than the same forty-five (45) days, with consideration also included for additional time for reasonable responses and so forth thereto, so that the Office of Attorney General may so defend herein and reasonably address the various facial challenges to jurisdiction now formally raised.

CONCLUSION AND PRAYER FOR RELIEF

This Court presently has but express duties herein. It cannot hear or consider anything else yet, but must: (a) abate/stay all other issues; and (b) set a proper and reasonable schedule towards the resolution of said constitutional challenges to the Court’s jurisdiction, allowing at minimum forty-five (45) days’ time in which the Attorney General may respond and defend against said facial challenges herein raised unto said Texas statutes, plus, of course, allow reasonable time for responses and so forth.

**WHEREFORE**, the PartyLabel herein, FirstName LastName, moves the Court to allow Mr. Paxton’s Office a minimum of forty-five (45) days in which to respond and address said facial challenges, further moving to stay/abate all other issues until after the resolution of pleas to the jurisdiction are first completed as required by law, and PartyLabel prays for all other relief true, lawful, just and proper within these premises.

Dated: October 7th, 2025

Respectfully submitted,

/s/ FirstName LastName

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FirstName LastName  
Street Address  
City, State, ZIP  
Tel: (###) ###-###  
Email: myemailaddress@somewhere.com

CERTIFICATE OF SERVICE

I hereby certify: that on this \_\_7th\_\_ day of October, 2025, a true and complete copy of the foregoing *plea to the jurisdiction and motion for continuance*, by e-service to all registered filers of this case automatically provided via the Texas E-File system, has been duly served on:

*(for Other Parent's Name Here)*  
Other Parent or Attorney Name  
Address Line 1  
Address Line 2 as needed  
City, State, ZIP

*(for the State of Texas)*  
State of Texas  
c/o Attorney General W. Kenneth Paxton  
P.O. Box 12548  
Austin, TX 78711-2548

/s/ FirstName LastName

\_\_\_\_\_  
FirstName LastName