

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-09-00476-CV

IN THE INTEREST OF J.E., S.L. AND N.L.

On Appeal from the 88th District Court
Hardin County, Texas
Trial Cause No. 48315

ORDER

In this suit affecting the parent-child relationship, the appellants filed a motion to suspend the enforcement of the judgment and to reinstate the temporary orders while the case is on appeal. The appellants argue that the trial court’s final order, which gives managing conservatorship of the children to their biological mother, should not be enforced during the appeal. Rule 24.2(a)(4) provides that, when the judgment involves the conservatorship of a minor, “enforcement of the judgment will not be suspended, with or without security, unless ordered by the trial court. But upon a proper showing, the appellate court may suspend enforcement of the judgment with or without security.” TEX. R. APP. P. 24.2(a)(4). Appellants have not shown that they requested or obtained a ruling from the trial court on

their Section 109.001 motion. *See* TEX. FAM. CODE ANN. § 109.001 (Vernon 2008). Appellants have not shown that they presented new facts to the trial court in support of a motion to suspend enforcement of the judgment, nor have they adequately explained why this Court should enter temporary orders based upon evidence that the trial court considered and failed to find credible or persuasive at trial. Accordingly, the motion for temporary relief is denied.

MOTION DENIED.

ORDER ENTERED December 23, 2009.

PER CURIAM

Before McKeithen, C.J., Gaultney and Kreger, JJ.