

**AFFIRMED AS REFORMED in part; REVERSED in Part; and Opinion
Filed July 14, 2022**



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-21-00033-CV

IN THE INTEREST OF D.A.C.-R. AND E.M.C.-R., CHILDREN

**On Appeal from the 417th Judicial District Court
Collin County, Texas
Trial Court Cause No. 417-56020-2018**

SUPPLEMENTAL MEMORANDUM OPINION

Before Justices Schenck, Carlyle, and Garcia
Opinion by Justice Garcia

In our opinion dated June 27, 2022, we suggested a remittitur of \$17,950.00 of attorney's fees awarded to appellee. We stated that if appellee filed a remittitur within fifteen days of the opinion's date, we would reform the trial court's judgment with respect to incurred attorney's fees and affirm as reformed. If appellee did not timely file a remittitur, we would reverse the trial court's judgment with respect to incurred attorney's fees and remand the case for further proceedings as to those attorney's fees.

On July 6, 2022, appellee filed a remittitur and asked this Court to reform the trial court's judgment to reflect the requested remittitur. Accordingly, we vacate our

judgment, but not our opinion, dated June 27, 2022, and reform the trial court's judgment with respect to the incurred attorney's fees awarded to appellee to reflect the remittitur of \$17,950.00. We reverse the Final Order's awards of appellee's attorney's fees on appeal and remand to the trial court for further proceedings on appellee's attorney's fees for services in the court of appeals and the supreme court. Otherwise, we affirm the Final Order as reformed.

/Dennise Garcia/
DENNISE GARCIA
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

IN THE INTEREST OF D.A.C.-R.
AND E.M.C.-R., CHILDREN

No. 05-21-00033-CV

On Appeal from the 417th Judicial
District Court, Collin County, Texas
Trial Court Cause No. 417-56020-
2018.

Opinion delivered by Justice Garcia.
Justices Schenck and Carlyle
participating.

We **VACATE** our judgment dated June 27, 2022. In accordance with this Court’s opinion of June 27, 2022, and supplemental opinion of July 14, 2022, the trial court’s Final Order in Suit Affecting the Parent–Child Relationship is **AFFIRMED** as reformed in part and **REVERSED** in part.

We **REFORM** the trial court’s Final Order in Suit Affecting the Parent–Child Relationship as follows. We delete the first sentence of section 17, entitled “Attorney’s Fees,” and replace it with the following: “IT IS ORDERED, ADJUDGED, AND DECREED that good cause exists to award Duffee + Eitzen, LLP judgment in the amount of sixty-seven thousand four hundred thirty-one dollars and twenty-five cents (\$67,431.25) for reasonable attorney’s fees, expenses, and costs incurred by Monica Rios.” This reflects a remittitur of \$17,950.00. As reformed, we **AFFIRM** the trial court’s award of incurred attorney’s fees, expenses, and costs.

We **REVERSE** the trial court’s Final Order in Suit Affecting the Parent–Child Relationship to the extent it awards appellee Monica Rios any attorney’s fees on appeal, and we **REMAND** the case for further proceedings on appellee Monica Rios’s claim for attorney’s fees on appeal.

We **AFFIRM** the trial court's Final Order in Suit Affecting the Parent–Child Relationship in all other respects.

We order each party to bear his or her own costs of this appeal.

Judgment entered this 14th day of July 2022.