

PFLAG, INC.; MIRABEL VOE, individually and	§	
as parent and next friend of ANTONIO VOE, a	§	
minor; WANDA ROE, individually and as	§	
parent and next friend of TOMMY ROE, a	§	
minor; ADAM BRIGGLE and AMBER BRIGGLE,	§	
individually and as parents and next friends	§	
of M.B., a minor,	§	
Plaintiffs,	§	
	§	IN THE DISTRICT COURT OF
v.	§	TRAVIS COUNTY, TEXAS
	§	459 th JUDICIAL DISTRICT
GREG ABBOTT, sued in his official capacity as	§	
Governor of the State of Texas; JAIME	§	
MASTERS, sued in her official capacity as	§	
Commissioner of the Texas Department of	§	
Family and Protective Services; and the	§	
TEXAS DEPARTMENT OF FAMILY AND	§	
PROTECTIVE SERVICES	§	
Defendants	§	

TEMPORARY RESTRAINING ORDER

On this day, the Court heard argument by counsel for the parties and considered the application by Plaintiffs PFLAG, Inc. (“PFLAG”); Mirabel Voe, individually and as parent and next friend of Antonio Voe, a minor; Wanda Roe, individually and as parent and next friend of Tommy Roe; and, Adam Briggles and Amber Briggles, individually and as parents and next friends of M.B., a minor, (collectively, “Plaintiffs”) for a Temporary Restraining Order (the “Application”), as found in Plaintiffs’ Original Petition, Application for Temporary Restraining Order, Temporary and Permanent Injunction, and Request for Declaratory Relief (“Petition”) filed against Defendants Greg Abbott, in his official capacity as Governor of the State of Texas; Jaime Masters, in her official capacity as Commissioner of the Texas

Department of Family and Protective Services (“Commissioner Masters”); and the Texas Department of Family and Protective Services (collectively, “Defendants”).

From the facts set forth in Plaintiffs’ Petition, and the declarations attached thereto, the Court finds sufficient cause to enter a Temporary Restraining Order against Commissioner Masters and the Texas Department of Family and Protective Services (“DFPS”). Plaintiffs state a valid cause of action under the Texas Administrative Procedure Act against Commissioner Masters and DFPS and have a probable right to the declaratory and permanent injunctive relief they seek. For the reasons detailed in Plaintiffs’ Application and accompanying evidence, there is a substantial likelihood that Plaintiffs will prevail after a trial on the merits because improper rulemaking and implementation by Commissioner Masters and DFPS of a new policy based on Governor Abbott’s Letter and Attorney General Paxton’s Opinion, as announced in DFPS’s Statement, are void because they were adopted without following the necessary procedures under the APA, are contrary to DFPS’s enabling statute and beyond the authority provided to the Commissioner and the agency, and otherwise contrary to law.

It clearly appears to the Court that unless Commissioner Masters and DFPS are immediately enjoined from implementing and enforcing the new DFPS rule, Governor Abbott’s Letter and Attorney General Paxton’s Opinion, as announced in DFPS’s Statement, the Voe, Roe, and Briggle families (collectively, “Plaintiff Families”) and members of Plaintiff PFLAG will suffer immediate and irreparable injury. Such injury includes, but is not limited to: gross invasions of privacy in the home and school, and the resulting trauma felt by parents, siblings, and other household members; outing an adolescent as transgender; adverse effects on grades and participation in school activities; fear and anxiety associated

with the threat of having a child removed from the home; increased incidence of depression and risk of self-harm or suicide; the deprivation or disruption of medically necessary care for the parents' adolescents; having to uproot their lives and their families to seek medically necessary care in another state; being placed on the child abuse registry and the consequences that result therefrom; and criminal prosecution and the threat thereof.

The Court further finds that Commissioner Masters's and DFPS's wrongful actions cannot be remedied by any award of damages or other adequate remedy at law.

IT IS THEREFORE ORDERED that Defendants Commissioner Masters and DFPS are immediately enjoined and restrained from implementing or enforcing DFPS's new rule, implementing the Abbott Letter and the Paxton Opinion as announced in the DFPS Statement, with regard to Plaintiff Families and other members of Plaintiff PFLAG, and such restraint encompasses but is not limited to: (1) investigating Plaintiff Families and members of PFLAG for possible child abuse solely based on allegations that they have a minor child who is transgender, gender nonconforming, gender transitioning, or receiving or being prescribed gender-affirming medical treatment, and (2) taking any actions against Plaintiff Families and other members of PFLAG solely based on allegations that they have a child who is transgender, gender nonconforming, gender transitioning, or receiving or being prescribed gender-affirming medical treatment.

IT IS FURTHER ORDERED that in furtherance of the above, DFPS and its employees, agents, contractors, as well as any individuals or entities in active concert with them, directly or indirectly under their control, or participating with them, who receive notice that the person(s) reported for suspected child abuse solely based on allegations that they have a minor child who is transgender, gender nonconforming, gender transitioning, or receiving

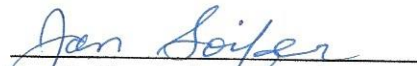
or being prescribed gender-affirming medical treatment, is a member of Plaintiff PFLAG, shall immediately cease any intake, investigation, or assessment, including ceasing any contact, communications, or other activity related to processing such report.

IT IS FURTHER ORDERED that Plaintiffs' Application for Temporary Injunction be heard before a Civil District Court of Travis County, Texas on June 21, 2022, at 9:00 a.m. The purpose of the hearing is to determine why a temporary injunction should not be issued as requested by Plaintiffs. The Clerk of the Court is hereby directed to issue a show cause notice to Defendants to appear at the temporary injunction hearing. The hearing must be announced pursuant to the Local Rules, and the assigned Court will contact the parties with respect to the details of the hearing.

The Clerk of the Court shall forthwith, on filing by Plaintiffs of the Bond hereinafter required, and on proving of the same according to law, issue a temporary restraining order in conformity with the laws and terms of this Order.

This Order shall not be affected unless and until Plaintiffs execute and file with the Clerk a bond in conformity with the law, in the amount of \$100.00 dollars.

Signed on June 10, 2022, at 3:23 p.m. in Travis County, Texas.


Jan Soifer, Judge Presiding