

IN THE SUPREME COURT OF TEXAS

No. 08-0403

IN RE TEXAS DEPARTMENT OF
FAMILY AND PROTECTIVE SERVICES, RELATOR

ON PETITION FOR MANDAMUS

PER CURIAM

The Texas Department of Family and Protection Services petitions for review by mandamus of the court of appeals' decision in *In re Bradshaw*, ___ S.W.3d ___ (Tex. App.–Austin 2008, orig. proceeding) (mem. op.). That case arose out of the same child protection proceedings as *In re Steed*, ___ S.W.3d ___ (Tex. App.–Austin 2008, orig. proceeding) (mem. op.), and involved three mothers seeking return of their thirteen children. The record reflects that ten of the children are under 13 and the other three, all girls, are 13, 16, and 17. The court of appeals reached the same decision in both cases. For the reasons we explain today in No. 08-0391, *In re Department of Family and Protective Services*, ___ S.W.3d ___ (Tex. 2008) (per curiam), the Department's petition is denied. JUSTICE O'NEILL, JUSTICE JOHNSON, and JUSTICE WILLETT concur in part and dissent in part for the reasons explained in JUSTICE O'NEILL's separate opinion in No. 08-0391.

Opinion issued: May 29, 2008