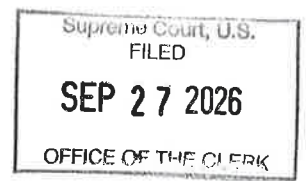


No. 26A449



IN THE
SUPREME COURT OF THE UNITED STATES

ELISHA NICOLE HOLLOWAY,

Applicant and Petitioner,

v.

BRYAN L. POLK,

Respondent.

**TO THE HONORABLE SAMUEL A. ALITO, JR.
ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES
AND CIRCUIT JUSTICE FOR THE FIFTH CIRCUIT**

**EMERGENCY APPLICATION FOR STAY PENDING DISPOSITION OF
PETITION FOR WRIT OF CERTIORARI AND REQUEST FOR
TEMPORARY ADMINISTRATIVE STAY**

Court of Appeals for the Second District of Texas

No. 02-26-00013-CV

Supreme Court of Texas No. 26-0569

Trial Court No. CIV-22-0486

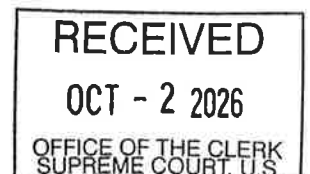
Elisha Nicole Holloway

Applicant and Petitioner, self-represented

Texas Address Confidentiality Program participant

Substitute mailing address maintained under applicable confidentiality procedures

Email: eholloway1.legal@proton.me



QUESTIONS PRESENTED BY THIS APPLICATION

Whether a temporary administrative stay and a stay pending disposition of the petition for writ of certiorari are necessary to preserve this Court's ability to grant effective relief where the judgment under review dismissed the only direct appeal of a severe parent-child-status order for nonpayment of a \$205 filing fee while a supported request to reconsider inability to pay remained pending.

Whether the January 6, 2026 modification order and the July 23–24, 2026 attachment instruments that expressly rely on that order should be stayed during this Court's review when the filed record shows that the merits of the preserved service, notice, access, and due-process objections were never reached and current enforcement-related contact confirms an imminent risk of implementation.

RELIEF REQUESTED

Applicant respectfully requests an immediate temporary administrative stay while this application is considered and, after any response, a stay pending disposition of the petition for writ of certiorari. The requested order would suspend execution or enforcement of the January 6, 2026 modification order and the July 23–24, 2026 attachment instruments that use it as their possession predicate. If the petition is granted, the stay should remain in effect through disposition on the merits and issuance of this Court's mandate.

The requested stay may be framed narrowly: no party or law-enforcement agency should use those instruments alone to alter physical custody during this Court's review; protected residential, school, medical, and location information should remain confidential; and the order should leave untouched any independently authorized response to a genuine, contemporaneous child-safety or medical emergency.

RELATED PETITION AND JUDGMENT UNDER REVIEW

The submitted petition for writ of certiorari seeks review of the April 23, 2026 judgment in No. 02-26-00013-CV, which dismissed Applicant's appeal for failure to pay a \$205 filing fee and denied all pending motions as moot, including the motion seeking an extension and reconsideration of indigency. Rehearing was denied April 30, 2026. The Supreme Court of Texas denied review in No. 26-0569 on July 17, 2026 and denied rehearing on August 28, 2026. A copy of the service record for the certiorari petition is included in the appendix to this application. The Supreme Court docket number is left blank for insertion after assignment or verification.

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TABLE OF AUTHORITIES

Authority	Principal use
Armstrong v. Manzo, 380 U.S. 545 (1965)	notice and opportunity to be heard
Hollingsworth v. Perry, 558 U.S. 183 (2010) (per curiam)	stay factors
M.L.B. v. S.L.J., 519 U.S. 102 (1996)	appellate access and parent-child status
Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950)	constitutionally adequate notice
Nken v. Holder, 556 U.S. 418 (2009)	stay factors and status preservation
Peralta v. Heights Medical Center, Inc., 485 U.S. 80 (1988)	judgment entered without adequate notice

Authority	Principal use
28 U.S.C. § 1257(a)	certiorari jurisdiction
28 U.S.C. § 1651(a)	all writs authority
28 U.S.C. § 2101(f)	stay pending certiorari
Supreme Court Rules 22 and 23	applications and stays
U.S. Const. amend. XIV	due process and equal protection

STATEMENT OF THE CASE

1. The January 6 order and the appeal that was dismissed

On January 6, 2026, the Parker County Court at Law No. 2 signed a post-answer default modification order. The order changed sole managing conservatorship, restricted Applicant to supervised possession, imposed a Parker County geographic restriction, and changed support obligations. Applicant filed a protective notice of appeal that same day, producing No. 02-26-00013-CV. Applicant preserved objections concerning service of the operative pleading, notice of the relief adjudicated, access to the evidence relied upon, authority to act, and due process. Those objections are allegations and legal arguments preserved in the filings; they were not adjudicated on the merits by the appellate court.

2. The filing-fee disposition prevented first merits review

Applicant filed a statement of inability to afford costs. After the trial court sustained the clerk's contest, Applicant supplied updated financial information and sought reconsideration or an extension. On April 23, 2026, the Second Court of Appeals dismissed the appeal for nonpayment of the \$205 fee. In the same disposition, it denied all pending motions as moot, including the request to reconsider indigency. No appellate court reviewed the merits of the service, notice, evidence-access, or due-process objections to the January order.

3. The July attachment instruments expressly rely on the January order

On July 23, 2026, the trial court signed an Order for Immediate Issuance of Writ of Attachment. The order identifies the January 6 modification order, states that Respondent is entitled to possession under it, finds that Applicant failed or refused to surrender the children, finds concealment or likely concealment, and authorizes law-enforcement personnel to locate, take possession of, and deliver the children to Respondent. A writ issued July 24 commands any sheriff or constable in Texas to attach the children and deliver them to Respondent. These statements are findings contained in the July order; Applicant disputes the underlying factual and legal premises.

Also on July 24, the Second Court expressly considered and denied Applicant's emergency motion to preserve the status quo pending appeal. The one-page order supplied no reasoning. On August 20, the Second Court dismissed the attempted appeal from the attachment order because a child-custody habeas attachment order is neither a final judgment nor an appealable interlocutory order. The court declined requests to continue prior appellate proceedings or treat the appeal as an original proceeding. Rehearing was denied August 27. Those rulings establish procedural disposition; they do not adjudicate the merits of the objections to the January predicate order.

4. Current enforcement-related contact makes the risk concrete

The preserved record includes an email from the Parker County Constable Precinct 4 office requesting contact and a later email from Chief Deputy Tim Harper with the subject "writ of attachment civ-22-0486," stating that the office had paperwork to serve and requesting Applicant's telephone number. The communication does not establish that an attachment has been executed. It does establish present activity by an enforcement office expressly tied to the challenged writ and cause number.

5. The later events show continuing consequences without expanding the certiorari questions

The petition for writ of certiorari challenges the April 23 dismissal and the resulting loss of appellate review of the January order. The July attachment proceedings are not offered as separate merits questions in that petition. They show that the January order remains operative and is being used as the legal predicate for increasingly consequential enforcement. A stay is therefore requested to preserve this Court's ability to provide effective relief on the questions actually presented.

RELIEF SOUGHT BELOW

Applicant sought emergency status-quo relief in the Second Court of Appeals. On July 24, 2026, that court entered a file-stamped order stating that it had considered the emergency motion and denied it. Applicant also sought emergency relief in the Supreme Court of Texas in No. 26-0569. On August 28, 2026, that court denied rehearing and dismissed the pending emergency motions as moot. These dispositions leave no presently available lower-court stay. To the extent Rule 23 requires an explanation for any request not presented below in identical terms, the precise Supreme Court application could not have been filed before the certiorari petition existed, while the operative status-quo relief was sought and denied below.

JURISDICTION AND AUTHORITY

The petition invokes 28 U.S.C. § 1257(a) to review the final state judgment. Under 28 U.S.C. § 2101(f) and Supreme Court Rule 23, a Justice may stay execution and enforcement of a judgment subject to certiorari review. The judgment directly under review is the April 23 appellate dismissal. Applicant recognizes that a stay of that dismissal, standing alone, may not suspend the trial-level January order. Applicant therefore also invokes 28 U.S.C. § 1651(a) only to the extent necessary to preserve this Court’s prospective jurisdiction and ability to grant effective relief. The requested order targets the January predicate and the derivative July attachment instruments during the short period of this Court’s review; it does not ask the Circuit Justice to adjudicate custody facts.

This candid framing matters. The application does not assume that every trial-court act was automatically stayed by an appeal, does not convert a procedural dismissal into a merits decision, and does not ask this Court to determine contested family-law facts in the first instance. It asks for preservation of the status quo because implementation of the derivative attachment process could change physical custody before this Court decides whether the only direct appeal was constitutionally foreclosed.

REASONS FOR GRANTING A STAY

I. THERE IS A REASONABLE PROBABILITY THAT CERTIORARI WILL BE GRANTED

A stay applicant ordinarily must show a reasonable probability that four Justices will vote to grant certiorari, a fair prospect that the applicant will prevail, and a likelihood of irreparable harm, with the equities considered. *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (per curiam). The petition presents a focused federal question: whether a State may terminate the first direct appeal of an order imposing severe parent-child-status restrictions for inability to pay a modest filing fee while a current, supported request to reconsider the obligation remains pending, and then deny that request as moot because of the dismissal it produced.

M.L.B. v. S.L.J., 519 U.S. 102 (1996), holds that appellate access cannot be allocated by wealth when a State seeks to sever the parent-child relationship. The January order did not formally terminate parental rights, and the petition acknowledges that distinction. It nevertheless transferred sole management, restricted Applicant to supervised possession, imposed a geographic restriction, and altered support. The unresolved federal question concerns how M.L.B.’s principle applies when a nontermination order produces severe functional restrictions and the State closes the only direct appeal for \$205 before deciding the pending inability request.

The petition also presents a concrete procedural anomaly. The fee obligation caused dismissal; dismissal then caused the court to declare the challenge to that fee obligation moot. The question is directed to the adequacy and constitutionality of the procedural ground itself. It does not require this Court to retry the SAPCR or decide Texas custody law.

II. THERE IS A FAIR PROSPECT OF REVERSAL

The record supports at least a fair prospect that the April 23 judgment will be vacated and remanded for constitutionally adequate appellate consideration. Applicant invoked the State’s inability-to-pay process, later supplied current evidence of means-tested benefits and student status, and asked the appellate court to reconsider or extend the deadline. The court dismissed for nonpayment and denied that still-pending request as moot. When a State provides an appeal, it must administer access consistently with due process and equal protection. The requested merits remedy is limited: vacatur of the dismissal and remand so the Texas courts can decide the appeal under constitutionally adequate procedures.

The foreclosed appeal concerned preserved notice and opportunity-to-be-heard objections. Mullane requires notice reasonably calculated to inform the affected person of the action and permit objections. Armstrong and Peralta recognize that notice defects preceding a completed deprivation cannot be cured merely by placing the burden on the affected person after entry of judgment. Applicant's filings raised service of the operative pleading, notice of the relief to be adjudicated, access to the evidence relied upon, and an opportunity to present protective and contrary evidence. The appellate dismissal prevented any classification or merits review of those objections.

The later attachment sequence makes the prejudice visible. The July order cites the January order as the possession predicate. If this Court determines that the direct appeal was unlawfully foreclosed, review after execution of the derivative writ may be substantially less effective than preservation now.

III. IRREPARABLE HARM IS LIKELY WITHOUT A STAY

The threatened harm is a compelled change in physical custody under a statewide writ before this Court can decide whether the appeal of the predicate order was constitutionally terminated. The July writ commands any sheriff or constable to attach the children and deliver them to Respondent. The officer-return section in the preserved copy is blank, so this application does not represent that the writ has already been executed. The present contact from a constable office concerning "writ of attachment civ-22-0486" nevertheless shows that implementation is not hypothetical.

A later merits victory cannot fully restore time, continuity, privacy, schooling, medical stability, or the parent-child relationship during the period of forced separation. The injury is therefore not confined to money and cannot be repaired completely by a later award. The application also raises address-confidentiality and safety concerns. Disclosure or use of protected location information cannot be fully undone after it occurs.

Applicant's broader allegations concerning safety, harassment, reports to agencies, school events, and evidentiary mischaracterization remain disputed unless and until established through the proper record and process. The stay does not require acceptance of every allegation. The signed writ, the blank return, the express command to statewide officers, and the current constable contact are sufficient documentary facts to show a serious and imminent enforcement risk.

IV. THE EQUITIES FAVOR A NARROW STAY

A short stay preserves the present physical status while this Court considers a pending petition. Respondent's interest in enforcement can be protected through expedited consideration, a prompt response date, and an order limited to the identified January and July instruments. By contrast, execution before review could create the very change that the petition seeks an opportunity to challenge through a constitutionally accessible appeal.

The public interest favors lawful, orderly enforcement based on an order that has received the review the State makes available. It also favors child safety. The proposed stay therefore includes an express exception for independently authorized action responding to a genuine, contemporaneous safety or medical emergency. It does not bar ordinary communication, medical care, or lawful process unrelated to the identified instruments.

REQUESTED ORDER

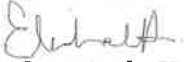
Applicant respectfully requests an order:

- Entering a temporary administrative stay pending receipt of any response and disposition of this application;
- Staying execution and enforcement of the January 6, 2026 modification order and the July 23 –24, 2026 attachment order and writ pending disposition of the petition for writ of certiorari and, if certiorari is granted, through final disposition and mandate;
- Directing that those instruments alone not be used to change physical custody while the stay remains in effect;
- Requiring preservation of confidential residential, school, medical, and location information, including protections associated with Applicant’s participation in the Texas Address Confidentiality Program;
- Clarifying that the stay does not prevent independently authorized action addressing a genuine, contemporaneous child-safety or medical emergency; and
- Granting any further relief necessary to preserve this Court’s jurisdiction and ability to afford effective relief.

CONCLUSION

The application should be granted. At minimum, a temporary administrative stay should issue long enough for a response and orderly consideration. The judgment under review prevented the only direct appellate examination of the January order; the July attachment instruments expressly depend on that order; and current constable communications show a present enforcement risk. A narrow stay preserves the Court's ability to decide the petition without deciding disputed custody facts in the first instance.

Respectfully submitted,



Elisha Nicole Holloway

Applicant and Petitioner, self-represented

Texas Address Confidentiality Program participant

Substitute mailing address maintained under applicable confidentiality procedures

Email: eholloway1.legal@proton.me

Dated: September 27, 2026

SOURCE APPENDIX

The following source pages are included to permit immediate verification of the procedural history and enforcement risk. Minor children's names, initials, and dates of birth have been redacted in the embedded images. Redaction does not alter the operative language used in the application.

Tab	Document	Source
A	April 23, 2026 memorandum opinion and judgment in No. 02-26-00013-CV	Certiorari appendix pp. 3a–5a
B	April 30, 2026 rehearing denial	Certiorari appendix p. 6a
C	May 7, 2026 continuing-jurisdiction order	Certiorari appendix pp. 7a–8a
D	July 17 and August 28, 2026 Supreme Court of Texas dispositions	Certiorari appendix pp. 9a–10a
E	January 6, 2026 modification order, pertinent pages	Certiorari appendix pp. 11a–16a
F	March 30, 2026 order denying record-transmission motion	Certiorari appendix p. 17a
G	July 23, 2026 immediate attachment order	Signed order, 3 pages
H	July 24, 2026 writ of attachment	Issued writ, 1 page
I	July 24, 2026 emergency-relief denial	File copy, 1 page
J	August 20 and August 27, 2026 appellate dispositions in No. 02-26-00516-CV	Opinion and rehearing denial, 4 pages
K	Certiorari service record	Sent-email record, 2 pages
L	Current constable contact concerning the writ	Email screenshot

TAB A — APRIL 23, 2026 OPINION AND JUDGMENT

APPENDIX A

April 23, 2026 Memorandum Opinion and Judgment, No. 02-26-00013-CV

Official file copy; complete decision.



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-26-00013-CV

IN THE INTEREST OF [REDACTED] AND [REDACTED] CHILDREN

On Appeal from County Court at Law No. 2
Parker County, Texas
Trial Court No. CIV-22-0486

Before Bassel, Womack, and Wallach, JJ.
Per Curiam Memorandum Opinion

TAB A — APRIL 23, 2026 OPINION AND JUDGMENT — continued

APPENDIX A - continued

MEMORANDUM OPINION AND JUDGMENT

Appellant filed a “Statement of Inability to Afford Payment of Court Costs or an Appeal Bond” in this court on January 6, 2026. We sent Appellant’s statement to the trial court clerk for filing in the trial court. The trial court clerk then filed a contest to require appellant to pay court costs. *See* Tex. R. Civ. P. 145(e).

The trial court held a hearing on the contest and, on February 25, 2026, signed an “Order Sustaining Contest to Statement of Inability to Afford Payment of Court Costs or an Appeal Bond,” which ordered Appellant to pay all costs of appeal.

On March 27, 2026, we ordered Appellant to pay the \$205.00 filing fee as required by Texas Rule of Civil Procedure 5. We stated that if the \$205.00 filing fee was not paid by **Monday, April 6, 2026**, we would **DISMISS** this appeal for want of prosecution. *See* Tex. R. App. P. 42.3(c). Appellant has not paid the filing fee. *See* Tex. R. App. P. 5, 12.1(b).

Because Appellant has not complied with a procedural requirement and the Texas Supreme Court’s order of August 28, 2015,¹ we dismiss the appeal.² *See* Tex. R. App. P. 42.3(c), 43.2(f).

¹*See* Supreme Court of Tex., Fees Charged in the Supreme Court, in Civil Cases in the Courts of Appeals, and Before the Judicial Panel on Multi-District Litigation, Misc. Docket No. 15-9158 (Aug. 28, 2015) (listing courts of appeals’ fees).

²Appellant’s pending motions are denied as moot, including her “Motion for Extension of Time to Pay Filing Fee and Request for Reconsideration of Indigency Determination.”

TAB A — APRIL 23, 2026 OPINION AND JUDGMENT — continued

APPENDIX A - continued

Appellant must pay all costs of this appeal. *See* Tex. R. App. P. 43.4.

Per Curiam

Delivered: April 23, 2026

TAB B — APRIL 30, 2026 REHEARING DENIAL

APPENDIX B

April 30, 2026 Order Denying Motion for Rehearing, No. 02-26-00013-CV

Exact text reproduced from the official file copy preserved in the state-court appendix.

In the
COURT OF APPEALS
SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH
No. 02-26-00013-CV
On Appeal from County Court at Law No. 2
Parker County, Texas
Trial Court No. CIV-22-0486
ORDER

We have considered “Appellant’s Motion for Rehearing.”

It is the opinion of the court that the motion for rehearing should be and is hereby denied and that the opinion and judgment of April 23, 2026, stand unchanged.

We direct the clerk of this court to send a notice of this order to the appellant and the attorneys of record.

Dated April 30, 2026.

Per Curiam

Panel: Bassel, Womack, and Wallach, JJ.

IN THE INTEREST OF [REDACTED] AND [REDACTED] CHILDREN

FILE COPY

TAB C — MAY 7, 2026 ORDER

APPENDIX C

May 7, 2026 Order Concerning Continuing-Appellate-Jurisdiction Notice

Exact text reproduced from the official file copy preserved in the state-court appendix.

In the
COURT OF APPEALS
SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH
No. 02-26-00013-CV

On Appeal from County Court at Law No. 2

Parker County, Texas

Trial Court No. CIV-22-0486

ORDER

We have considered Appellant’s “Notice of Pending Appeal and Statement Regarding Continuing Appellate Jurisdiction and Trial Court Orders Entered During Pendency of Appeal.”

Any relief requested is DENIED. Appellant attempts to argue that this court continues to have jurisdiction by virtue of a separate appeal perfected in November 2024, for which she does not list the case number. Our records indicate that appeal, No. 02-24-00521-CV, was dismissed on March 15, 2025, for Appellant’s failure to pay for the clerk’s record. Mandate issued on June 23, 2025, and the case has been closed.

To the extent that Appellant contends that an order entered in August 2025 and a modification order entered on January 6, 2026, remain active and pending before this court because they “were entered while the appeal perfected in November 2024,” the disposition continues on the following page.

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TAB C — MAY 7, 2026 ORDER — continued

APPENDIX C - continued

**COURT OF APPEALS
SECOND APPELLATE DISTRICT OF TEXAS
No. 02-26-00013-CV
ORDER - CONTINUED**

Appellant is mistaken because her notice of appeal did not cover those orders and because the 2024 appeal was dismissed prior to the entry of those orders.

This appeal, No. 02-26-00013-CV, was dismissed on April 23, 2026, because Appellant failed to pay the filing fee. Appellant filed a motion for rehearing, which we denied on April 30, 2026.

Both appeals have thus been dismissed.

We direct the clerk of this court to send a notice of this order to Appellant and the attorneys of record.

Dated May 7, 2026.

Per Curiam

FILE COPY

TAB D — TEXAS SUPREME COURT DISPOSITIONS

APPENDIX D

July 17, 2026 Denial of Petition for Review, Supreme Court of Texas No. 26-0569
Petitioner recipient copy only; duplicate recipient copies omitted.

SUPREME COURT OF TEXAS

RE: Case No. 26-0569

DATE: 7/17/2026

COA #: 02-26-00013-CV TC#: CIV-22-0486

STYLE: IN RE [REDACTED]

Today the Supreme Court of Texas denied the petition for review in the
above-referenced case.

ELISHA N. HOLLOWAY

* DELIVERED VIA E-MAIL *

FILE COPY

TAB D — TEXAS SUPREME COURT DISPOSITIONS — continued

APPENDIX E

August 28, 2026 Denial of Rehearing and Disposition of Emergency Motions, No. 26-0569

Petitioner recipient copy only; duplicate recipient copies omitted.

FILE COPY

RE: Case No. 26-0569

DATE: 8/28/2026

COA #: 02-26-00013-CV

TC#: CIV-22-0486

STYLE: IN RE [REDACTED]

Today the Supreme Court of Texas denied the motion for rehearing of the above-referenced petition for review. The Emergency Motion for Immediate Relief and the Emergency Motion for Leave to File Supplement are dismissed as moot.

ELISHA N. HOLLOWAY

* DELIVERED VIA E-MAIL *

10a

TAB E — JANUARY 6, 2026 MODIFICATION ORDER

APPENDIX F

January 6, 2026 Modification Order - Pertinent Excerpts

Pages establishing the challenged order, conservatorship change, geographic restriction, supervised possession, and signed/ filed disposition. Minor names and contact information redacted.

TAB E — JANUARY 6, 2026 MODIFICATION ORDER — continued

Exhibit Void Trial Court Order / Modification — January 6, 2026

NO. CIV-22-0486

IN THE INTEREST OF

██████████

CHILDREN

§
§
§
§
§

IN COUNTY COURT AT LAW

NUMBER 2

PARKER COUNTY, TEXAS

Post-Answer
^

DEFAULT ORDER IN SUIT TO MODIFY PARENT-CHILD RELATIONSHIP

On January 6, 2026, the Court heard this case.

Appearances

Petitioner, Elisha Holloway, although duly and properly notified, did not appear and wholly
made default. *at trial failed to appear*

Respondent, Bryan Polk, appeared physically in the courtroom. Respondent's attorney of
record, Chrissy R. Tefera, appeared physically in the courtroom and announced ready.

Jurisdiction

The Court, after examining the record and the evidence and argument of counsel, finds that
it has jurisdiction of this case and of all the parties and that no other court has continuing, exclusive
jurisdiction of this case. All persons entitled to citation were properly cited.

Jury

A jury was waived, and all questions of fact and of law were submitted to the Court.

Record

The record of testimony was duly reported by the court reporter for County Court at Law
Number 2 of Parker County, Texas.

Children

The Court finds that the following children are the subject of this suit:

Default Order in Suit to Modify Parent Child Relationship-ITIO Polk Children Page 1

Copy from re:SearchTX

TAB E — JANUARY 6, 2026 MODIFICATION ORDER — continued

APPENDIX F - continued

Name: [REDACTED]

Sex: Female

Birth date: [REDACTED]

Home State: Texas

Name: [REDACTED]

Sex: Male

Birth date: [REDACTED]

Home State: Texas

Findings

Parenting Plan

The Court finds that the provisions in these orders relating to the rights and duties of the parties with relation to the children, possession of and access to the children, child support, and optimizing the development of a close and continuing relationship between each party and the children constitute the parenting plan established by the Court.

Conservatorship

The Court finds that the following orders are in the best interest of the children.

IT IS ORDERED that Elisha Holloway and Bryan Polk are removed as managing conservators and that Bryan Polk is appointed Sole Managing Conservator and Elisha Holloway is appointed Possessory Conservator of the following children [REDACTED] [REDACTED]

IT IS ORDERED that, at all times, Bryan Polk, as a parent sole managing conservator, shall have the following rights:

1. the right to receive information from any other conservator of the children concerning the health, education, and welfare of the children;
2. the right to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the children;
3. the right of access to medical, dental, psychological, and educational records of the

TAB E — JANUARY 6, 2026 MODIFICATION ORDER — continued

APPENDIX F - continued

of raising their child. IT IS ORDERED that the primary residence of the children shall be within Parker County, Texas, and the parties shall not remove the children from Parker County, Texas for the purpose of changing the primary residence of the children until this geographic restriction is modified by further order of the court of continuing jurisdiction or by a written agreement that is signed by the parties and filed with that court.

Except as expressly provided otherwise in this order, IT IS ORDERED that all information of which a conservator is required to notify the other conservator and all documents and information that a conservator is required to provide to the other conservator shall be sent in the following manner:

- a. delivery to the recipient at the recipient's electronic mail address as follows or to

[Remainder of page omitted: it contains contact information not pertinent to this petition.]

TAB E — JANUARY 6, 2026 MODIFICATION ORDER — continued

APPENDIX F - continued

(c) Supervised Possession and Access

The Court finds that credible evidence has been presented that there is a history and pattern of Elisha Holloway hiding and secreting the children from Bryan Polk. It is further found that Elisha Holloway has a history or pattern of committing child neglect and alienation. IT IS THEREFORE ORDERED that Elisha Holloway's possession and access shall be supervised by Safe Harbor Counseling on the dates and times prescribed by Safe Harbor Counseling and as agreed to by Bryan Polk.

This concludes the Possession Order

2. Duration

The periods of possession ordered above apply to each child the subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

3. Termination of Orders

The provisions of this order relating to conservatorship, possession, or access terminate on the marriage of Elisha Holloway to Bryan Polk unless a nonparent or agency has been appointed conservator of the children under chapter 153 of the Texas Family Code.

Child Support

IT IS ORDERED that Elisha Holloway is obligated to pay and shall pay to Bryan Polk child support of two hundred fifty dollars (\$250.00) per month, with the first payment being due and payable on January 1, 2026 and a like payment being due and payable on the 1st day of each month thereafter until the first month following the date of the earliest occurrence of one of the events specified below:

1. any child reaches the age of eighteen years or graduates from high school, whichever occurs later, subject to the provisions for support beyond the age of eighteen years set out below;

TAB E — JANUARY 6, 2026 MODIFICATION ORDER — continued

APPENDIX F - continued

IT IS ORDERED that costs of court are to be borne by the party who incurred them.

Relief Not Granted

IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

All other terms of the prior orders not specifically modified in this order shall remain in full force and effect.

Date of Order

SIGNED on January 6, 2026


JUDGE PRESIDING

RECEIVED AND FILED
FOR RECORD
10:52 O'clock A M

JAN 06 2026

Lila Deakle, Co. Clerk
PARKER COUNTY, TEXAS
By ya Deputy

Default Order in Suit to Modify Parent Child Relationship-IT10 Polk Children Page 28

Copy from re:SearchTX

TAB F — MARCH 30, 2026 ORDER

APPENDIX G

March 30, 2026 Order Denying Motion to Direct Transmission of Record

Official file copy; complete order.

FILE COPY



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-26-00013-CV

IN THE INTEREST OF [REDACTED] AND [REDACTED] CHILDREN

On Appeal from County Court at Law No. 2
Parker County, Texas
Trial Court No. CIV-22-0486

ORDER

We have considered appellant's "Motion to Direct Trial Court to Transmit Record" and the "Order Sustaining Contest to Statement of Inability to Afford Payment of Court Costs or an Appeal Bond."

The motion is **DENIED**.

We direct the clerk of this court to send a notice of this order to the appellant and the attorneys of record.

Dated March 30, 2026.

Per Curiam

TAB G — JULY 23, 2026 IMMEDIATE ATTACHMENT ORDER

CAUSE NO. CIV-22-0486

IN THE INTEREST OF	§	IN THE COUNTY COURT AT LAW
	§	
██████ POLK AND ██████ POLK	§	NO. 2
	§	
CHILDREN	§	PARKER COUNTY, TEXAS

ORDER FOR IMMEDIATE ISSUANCE OF WRIT OF ATTACHMENT

On this day, the Court considered Petitioner's Application for Writ of Attachment. The Court reviewed the Petition, the supporting affidavit, the exhibits, and the records of this Court.

The Court finds that:

This Court has continuing, exclusive jurisdiction over the children, ██████ and ██████

On January 6, 2026, this Court signed a Post-Answer Default Order in Suit to Modify Parent-Child Relationship in Cause No. CIV-22-0486.

Petitioner, Bryan Polk, is entitled to possession of the children pursuant to that Order.

Respondent, Elisha Holloway, has failed and refused to surrender possession of the children.

Respondent's current residence and the present location of the children are unknown.

Respondent has concealed, or is likely to conceal, the whereabouts of the children.

Order for Immediate Issuance of Writ of Attachment - In The Interest Of: Polk Children

Page 1

TAB G — JULY 23, 2026 IMMEDIATE ATTACHMENT ORDER — continued

The Court finds that immediate issuance of a Writ of Attachment is necessary to enforce the Court's prior orders and to secure the recovery of the children.

Good cause exists for issuance of this Order and the Writ of Attachment without prior notice to Respondent.

IT IS THEREFORE ORDERED that the Clerk shall immediately issue a Writ of Attachment pursuant to *Section 157.372 of the Texas Family Code*.

IT IS FURTHER ORDERED that any sheriff, constable, marshal, or peace officer authorized to execute the Writ of Attachment shall be authorized to:

- a. Locate the children, [REDACTED] and [REDACTED]
- b. Take possession of the children;
- c. Recover the children from any person unlawfully retaining possession;
- d. Deliver the children to Petitioner, Bryan Polk; and
- e. Perform all acts authorized by the Texas Family Code and the Court's writ.

IT IS FURTHER ORDERED that upon recovery of the children, possession shall be delivered immediately to Petitioner, Bryan Polk.

TAB G — JULY 23, 2026 IMMEDIATE ATTACHMENT ORDER — continued

IT IS FURTHER ORDERED that the Clerk shall issue the Writ of Attachment immediately and without prior notice to Respondent.

Date of Order

SIGNED on 7/23/2026 3:47:28 PM

Filed: 07/23/2026 4:23 p.m.
Lila Deakle
County Clerk
Parker County, Texas
Sherry Bramlett


JUDGE PRESIDING

TAB H — JULY 24, 2026 WRIT OF ATTACHMENT

**WRIT OF ATTACHMENT OF A CHILD
CIV-22-0486**

IN THE INTEREST OF [REDACTED] POLK
AND [REDACTED] POLK CHILDREN

IN THE COUNTY COURT AT LAW 2
PARKER COUNTY, TEXAS

TO ANY SHERIFF OR CONSTABLE WITHIN THE STATE OF TEXAS, GREETING:

WHEREAS, on this the 23th day of July, 2026, said Court entered its order in the above referenced cause ordering the issuance of this Writ of Attachment, a certified copy of which is attached to this writ:

YOU ARE HEREBY COMMANDED to forthwith attach the following child/children:

[REDACTED] POLK AND [REDACTED] POLK CHILDREN

and deliver said child/children to safely to the possession of BRYAN POLK

HEREIN FAIL NOT, but of this Writ make due return hereof, INSTANTER.

WITNESS my official signature on this the 24th day of July, 2026

Lila Deakle
County Clerk
Parker County, Texas

By Sherry Bramlett
Sherry Bramlett, Deputy Clerk



OFFICER'S RETURN

Came to hand the ____ day of _____ 20____, at _____ M and executed same on the
____ day of _____ 20____ at _____ M by safely delivering the herein named
child/children to the possession of _____ as commanded in this
Writ.

Fee \$ _____

Sheriff/Constable

County, Texas
by _____ Deputy

TAB I — JULY 24, 2026 EMERGENCY-RELIEF DENIAL

FILE COPY



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-26-00013-CV

IN THE INTEREST OF [REDACTED] AND [REDACTED] CHILDREN

On Appeal from County Court at Law No. 2
Parker County, Texas
Trial Court No. CIV-22-0486

ORDER

We have considered “Appellant’s Emergency Motion for Temporary Relief to Preserve the Status Quo Pending Appeal.”

The motion is **DENIED**.

We direct the clerk of this court to send a notice of this order to the attorneys of record and the appellant.

Dated July 24, 2026.

Per Curiam

TAB J — AUGUST 20 AND 27, 2026 APPELLATE DISPOSITIONS



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-26-00516-CV

IN THE INTEREST OF [REDACTED] AND [REDACTED] CHILDREN

On Appeal from the County Court at Law No. 2
Parker County, Texas
Trial Court No. CIV-22-0486

Before Sudderth, C.J.; Kerr and Birdwell, JJ.
Memorandum Opinion by Chief Justice Sudderth

TAB J — AUGUST 20 AND 27, 2026 APPELLATE DISPOSITIONS — continued**MEMORANDUM OPINION**

Pro se Appellant E.H.¹ attempts to appeal from the trial court's order issuing a writ of attachment in the underlying habeas corpus proceeding. See Tex. Fam. Code § 157.372(a). But our appellate jurisdiction is limited to appeals from (1) final judgments and (2) statutorily designated interlocutory orders. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001); *In re* [REDACTED] No. 02-25-00424-CV, 2025 WL 2679335, at *1 (Tex. App.—Fort Worth Sept. 18, 2025, no pet.) (mem. op.); see Tex. Civ. Prac. & Rem. Code § 51.014(a). And the trial court's order is neither. *Stephens v. Stephens*, No. 03-26-00589-CV, 2026 WL 2247917, at *1 (Tex. App.—Austin Aug. 5, 2026, no pet. h.) (mem. op.) (“A trial court’s order granting or denying a writ of habeas corpus in a child custody case is not an appealable order.”); *Bradley v. Lanier*, No. 14-25-00631-CV, 2025 WL 3079369, at *1 (Tex. App.—Houston [14th Dist.] Nov. 4, 2025, pet. denied) (per curiam) (mem. op.) (same); *McAndrews v. Lowe*, No. 01-16-00836-CV, 2017 WL 2117532, at *2 (Tex. App.—Houston [1st Dist.] May 16, 2017, no pet.) (per curiam) (mem. op.) (dismissing attempted appeal and explaining that “[t]he order for issuance of the writ of attachment is not an appealable order”); see *Gray v. Rankin*, 594 S.W.2d 409, 409 (Tex. 1980).

¹We refer to appellant by her initials to protect the identities of the children at issue in the underlying proceeding. See Tex. Fam. Code § 109.002(d).

TAB J — AUGUST 20 AND 27, 2026 APPELLATE DISPOSITIONS — continued

We brought this jurisdictional flaw to Appellant’s attention and warned that we could dismiss her appeal for want of jurisdiction unless she showed grounds for continuing it. *See* Tex. R. App. P. 42.3(a), 44.3. Appellant responded by acknowledging that the challenged trial court order is “not reviewable through an ordinary direct appeal.” Nonetheless, she urges the court to “retain the matter” by construing her appeal as either a continuation of prior “related appellate proceedings”² or as an original proceeding challenging various orders that the trial court has signed over the past several years. We decline both requests.

Instead, because we lack jurisdiction over Appellant’s attempted appeal, we dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Bonnie Sudderth

Bonnie Sudderth
Chief Justice

Delivered: August 20, 2026

²*See In re Holloway*, No. 02-26-00273-CV, 2026 WL 1217096, at *1 (Tex. App.—Fort Worth May 4, 2026, orig. proceeding) (per curiam) (mem. op.) (denying mandamus relief); *In re* [REDACTED] No. 02-26-00013-CV, 2026 WL 1108920, at *1 (Tex. App.—Fort Worth Apr. 23, 2026, pet. denied) (per curiam) (mem. op.) (dismissing appeal due to appellant’s failure to pay filing fee); [REDACTED] 2025 WL 2679335, at *1 (dismissing appeal for want of jurisdiction); *In re* [REDACTED] No. 02-24-00521-CV, 2025 WL 807503, at *1 (Tex. App.—Fort Worth Mar. 13, 2025, pet. denied) (per curiam) (mem. op.) (dismissing appeal based on appellant’s failure to pay for clerk’s record); *In re Holloway*, No. 02-24-00560-CV, 2024 WL 5113025, at *1 (Tex. App.—Fort Worth Dec. 16, 2024, orig. proceeding) (per curiam) (mem. op.) (denying mandamus relief).

TAB J — AUGUST 20 AND 27, 2026 APPELLATE DISPOSITIONS — continued

FILE COPY



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-26-00516-CV

IN THE INTEREST OF [REDACTED] AND [REDACTED] CHILDREN

On Appeal from County Court at Law No. 2
Parker County, Texas
Trial Court No. CIV-22-0486

ORDER

We have considered “Appellant’s Motion for Rehearing.”

It is the opinion of the court that the motion for rehearing should be and is hereby denied and that the opinion and judgment of August 20, 2026, stand unchanged.

We direct the clerk of this court to send a notice of this order to the appellant and attorneys of record.

Signed August 27, 2026.

/s/ Bonnie Sudderth

Bonnie Sudderth
Chief Justice

Panel: Sudderth, C.J.; Kerr and Birdwell, JJ.

TAB K — CERTIORARI SERVICE RECORD

**Electronic Service and Notice — Petition for Writ of Certiorari,
Holloway v. Polk**

From: **eholloway1.legal**
eholloway1.legal@proton.me

To: **Blake.Hawthorne@txcourts.gov**
Blake.Hawthorne@txcourts.gov
CLARISSA.HODGES@txcourts.gov
CLARISSA.HODGES@txcourts.gov
Lila Deakle
lila.deakle@parkercountytx.com
+1 more

Cc: **clerk@supremecourt.gov**
clerk@supremecourt.gov
child.support@oag.texas.gov
child.support@oag.texas.gov

On: **Monday, August 31, 2026 at 8:00:03 AM**

 **3 attachments**

2.9 MB 

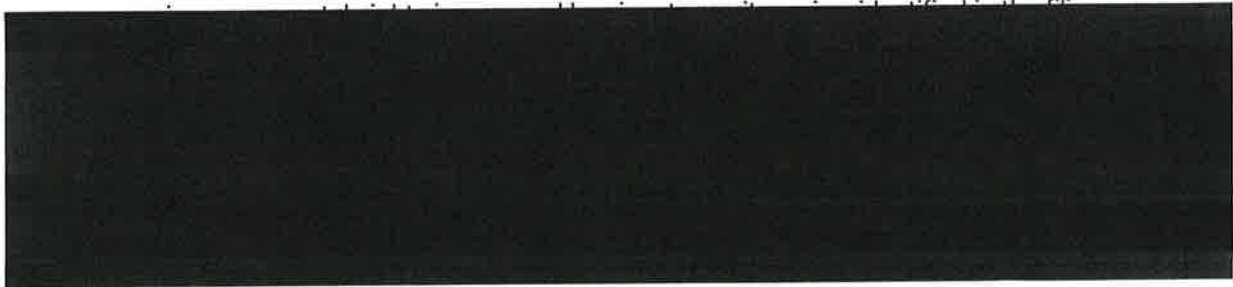
To whom it may concern and Court Clerks:

Please accept this email as electronic transmission of Petitioner Elisha Nicole Holloway's Petition for a Writ of Certiorari and accompanying appendix concerning Supreme Court of Texas Cause No. 26-0569, Second Court of Appeals Cause No. 02-26-00013-CV, and Trial Court Cause No. CIV-22-0486.

The attached materials are:

1. Petition for a Writ of Certiorari;
2. Appendix to the Petition for a Writ of Certiorari; and
3. Any certificate of service or related filing document included with the completed submission.

The petition seeks review of the federal questions, jurisdictional and procedural defects, due-



TAB K — CERTIORARI SERVICE RECORD — continued

Court clerks and any judicial recipient are copied for notice and administrative record purposes only and are not identified as parties or counsel unless the governing record provides otherwise.

Formal service and filing will be completed in accordance with the applicable Rules of the Supreme Court of the United States. The certificate of service will identify the method and date of service applicable to each party. Postal or commercial-carrier tracking information is intentionally not distributed through this group email. Any necessary delivery information will be communicated separately to the Clerk of the Supreme Court of the United States.

Please preserve this email and its attachments as transmitted.

Respectfully submitted,

Elisha Nicole Holloway
Petitioner, Pro Se

Sent from [Proton Mail](#) for iOS.

TAB L — CURRENT CONSTABLE CONTACT

11:42



writ of attachment civ-22-0486



Harper, Tim

10:00 AM

Tim.Harper@parkercountytx.com

To: eholloway1.legal@proton.me, David P... ▼



Dear Elisha Holloway wanted to contact you in regards to some paperwork I need to serve you with. If possible please provide your phone number and I will give you a call.
Thank you, Tim Harper Chief Deputy Parker County Constable PCT #4

 Reply

 Reply all

 Forward



**IN THE
SUPREME COURT OF THE UNITED STATES**

ELISHA NICOLE HOLLOWAY, Applicant and Petitioner,

v.

BRYAN L. POLK, Respondent.

**DECLARATION OF SERVICE UNDER 28 U.S.C. § 1746
AND SUPREME COURT RULE 29**

I, Elisha Nicole Holloway, am the self-represented Applicant and Petitioner. On September 27, 2026, I served one true and correct paper copy of the Emergency Application for Stay Pending Disposition of Petition for Writ of Certiorari and Request for Temporary Administrative Stay, including its redacted source appendix, on Respondent Bryan L. Polk, who is presently unrepresented in this matter. I deposited the documents with the United States Postal Service by first-class mail, postage prepaid, addressed as follows:

Bryan L. Polk
Respondent, self-represented
231 Brook Drive
Cresson, Texas 76035
Telephone: (682) 429-4848
Email: bryan@dastx.com

On September 27, 2026, I also transmitted an electronic version of the application and source appendix to Respondent at bryan@dastx.com. All parties required to be served with the application have been served in the manner stated above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 27, 2026.



Elisha Nicole Holloway
Applicant and Petitioner, self-represented