
YEAR 2006 CASE SUMMARIES

By
The Honorable Pat Garza

Associate Judge
386th District Court
San Antonio, Texas

[2005 Summaries](#) [2004 Summaries](#) [2003 Summaries](#) [2002 Summaries](#) [2001 Summaries](#) [2000 Summaries](#) [1999 Summaries](#)

Service of a later amended petition is not required for the trial court to have jurisdiction when a juvenile has been properly served with the original petition. [In the Matter of K.H.](06-1-21A)

On December 14, 2006, the San Antonio Court of Appeals held that service of a later amended petition is not required for the trial court to have jurisdiction when a juvenile has been properly served with the original petition.

¶ 06-1-21A. **In the Matter of K.H.**, No. 04-04-00924-CV, 2005 Tex.App.Lexis 10810 (Tex.App.— San Antonio, 12/14/06).

Facts: K.H. was adjudicated delinquent for committing four counts of aggravated sexual assault and one count of indecency with a child. The trial court sentenced K.H. to a determinate sentence of fifteen years.

Held: Affirmed

Opinion: In his first point of error, K.H. contends that the trial court did not have personal jurisdiction over him because he was not served with the State's first amended petition. Service of a later amended petition, however, is not required for the trial court to have jurisdiction when a juvenile has been properly served with the original petition. *In re G.A.T.*, 16 S.W.3d 818, 823 (Tex. App.-Houston [14th Dist.] 2000, pet. denied); *In re S.D.W.*, 811 S.W.2d 739, 746 (Tex. App.-Houston [1st Dist.] 1991, no writ); *R.X.F. v. State*, 921 S.W.2d 888, 893 (Tex. App.-Waco 1996, no writ). The clerk's record contains proof that K.H. was served with summons, the original petition, and the grand jury certificate of approval.

Conclusion: Accordingly, K.H.'s first point of error is overruled.

[Other Issues Omitted]