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TARRANT COUNTY
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THOMAS A. WILDER
DISTRICT CLERK

342-385541-26

CAUSE NO. _____

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| FELISHA JONES AND TRAVAE JONES, INDIVIDUALLY AND AS PARENTS AND NEXT FRIENDS OF F.J., A MINOR CHILD, | § | IN THE DISTRICT COURT OF |
| PLAINTIFFS, | § | TARRANT COUNTY, TEXAS |
| VS. | § | |
| BEYOUTIFUL BEGINNINGS LLC; | § | |
| DEFENDANT. | § | _____ JUDICIAL DISTRICT |

# ORIGINAL PETITION AND JURY DEMAND

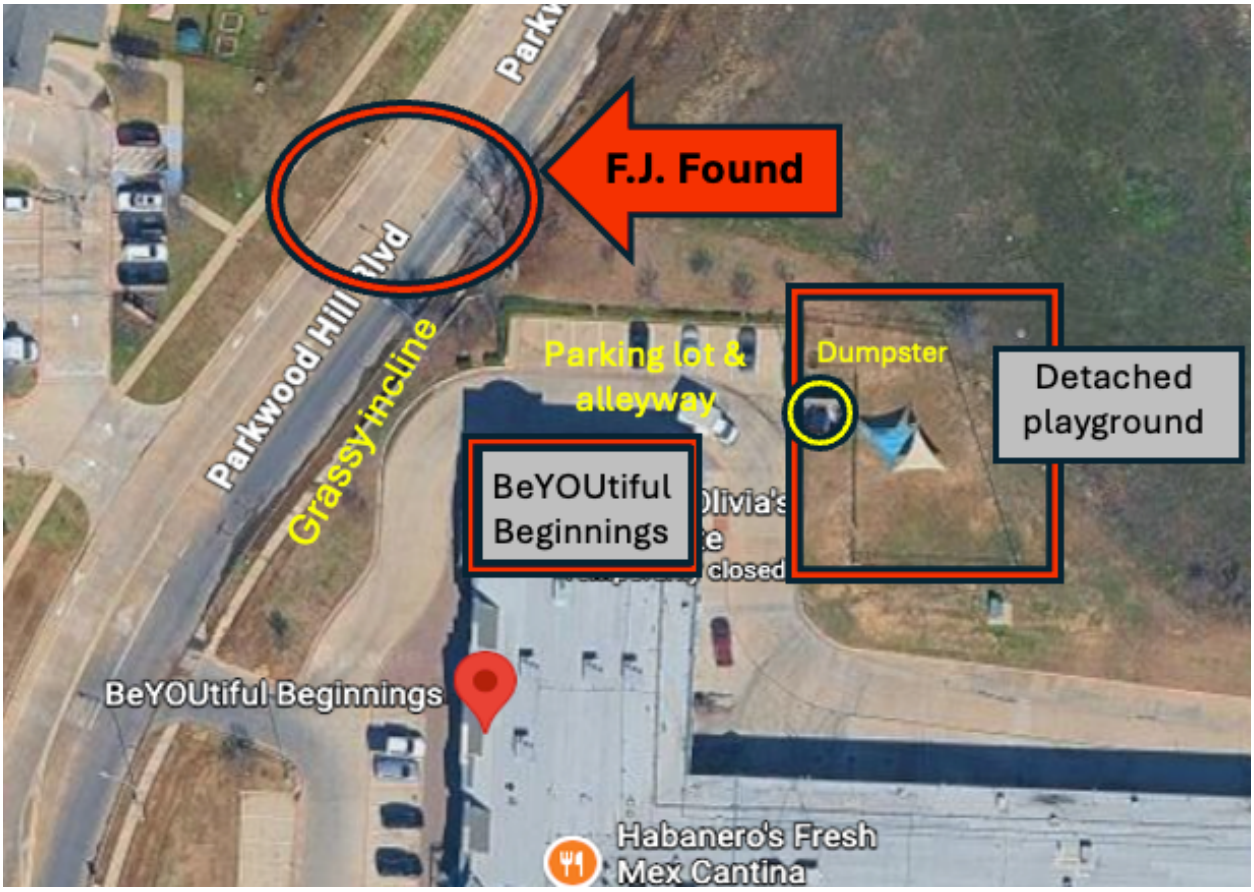
1. Felisha and Travae Jones, like many parents across the country, made the difficult decision to place their trust in a daycare to keep their child safe while they were at work. The Jones' trusted that their 2-year-old daughter would be safe at **BeYOUtiful Beginnings**.[1] Instead, their trust was violated when **BeYOUtiful Beginnings** put their daughter's life at risk.

2. On August 28, 2025, a sweltering hot, Texas summer day, **BeYOUtiful Beginnings** negligently supervised **2-year-old F.J.**, allowing her to wander out of the daycare unnoticed. F.J. was found by two good Samaritans in the *middle of a high-traffic street*. Felisha and Travae Jones bring this lawsuit on behalf of their family asking for answers and asking that **BeYOUtiful Beginnings** accept responsibility for the serious physical, emotional, mental, and psychological damages they caused.

[1] This petition refers to Defendant BeYOUtiful Beginnings LLC as "BeYOUtiful Beginnings," a childcare operation located at 5601 Basswood Blvd., Fort Worth, TX 76137, operating under license number 1774648.

## EVERY PARENT'S WORST NIGHTMARE:
## A CALL FROM THE POLICE TELLING YOU SOMETHING HAPPENED TO YOUR CHILD

3. On August 28, 2025, a hot summer day, F.J.'s parents dropped her off at daycare trusting that BeYOUtiful Beginnings would ensure their child was safe and properly supervised. That trust was shattered when they received a phone call from a Fort Worth Police Officer, informing them that their 2-year-old daughter, F.J., *had been found in the middle of a busy road by two strangers.*




4. BeYOUtiful Beginnings allowed 2-year-old F.J. to wander away from the daycare, walk across a parking lot and alleyway, go down a grassy incline, and walk into the middle of a multi-lane road – without anyone from BeYOUtiful Beginnings even noticing she was missing.

5. On August 28, 2025, at approximately **10:50am**, two good Samaritans were driving on Parkwood Hill Boulevard in Fort Worth, when they saw 2-year-old F.J. *wandering alone in the middle of the road*. Both men pulled over their vehicles and jumped out to rescue F.J. from the road and bring her to safety.



*Photo of 2-year-old F.J. taken by the good Samaritan on August 28, 2025, after F.J. was moved out of the roadway to safety. F.J. is sweaty, dirty, with flushed cheeks.*

6. Temperatures neared 100 degrees that day. When found, F.J. was dehydrated and showing signs of heat exhaustion – she was hot, sweaty, and her cheeks were flushed red. Her shirt was covered in a white substance. As one man sat with F.J. and called the police, the other checked nearby businesses to find where F.J. belonged.

7. BeYOUtiful Beginnings' Owner, Brianna Smith, confirmed F.J belonged there. F.J. Not a single BeYOUtiful Beginnings employee was outside searching for F.J. when the two good Samaritans were searching for where F.J. belonged.

8. According to the **Fort Worth Police Department's investigation report**:

> All three parties at the daycare facility knew nothing about the child whereabouts, how long the child was gone from there care, nor anyone wanted to take accountability for the incident. The two teachers showed no remorse in regards to the incident. Nor did either one of them ask about the child and how she was once she was found.

- *Screenshot from the Fort Worth Police Department Investigation Report Narrative*.

# HOW DID BeYOUtiful BEGINNINGS LOSE A 2-YEAR-OLD?

**DID THEY LOSE HER WHILE WALKING TO THE PLAYGROUND?**
**DID THEY LOSE HER THROUGH AN UNSECURED PLAYGROUND GATE?**
**DID THEY LOSE HER WHILE THEY WALKED BACK TO THE BUILDING?**
**DID THEY LEAVE HER BEHIND ON THE PLAYGROUND?**
**DID THEY FAIL TO SEE HER WALK OUT THE FRONT DOOR?**

## NO ONE KNOWS.

9. Perhaps the scariest part of this incident is that the Fort Worth Police Department determined that ***no one at BeYOUtiful Beginnings***:

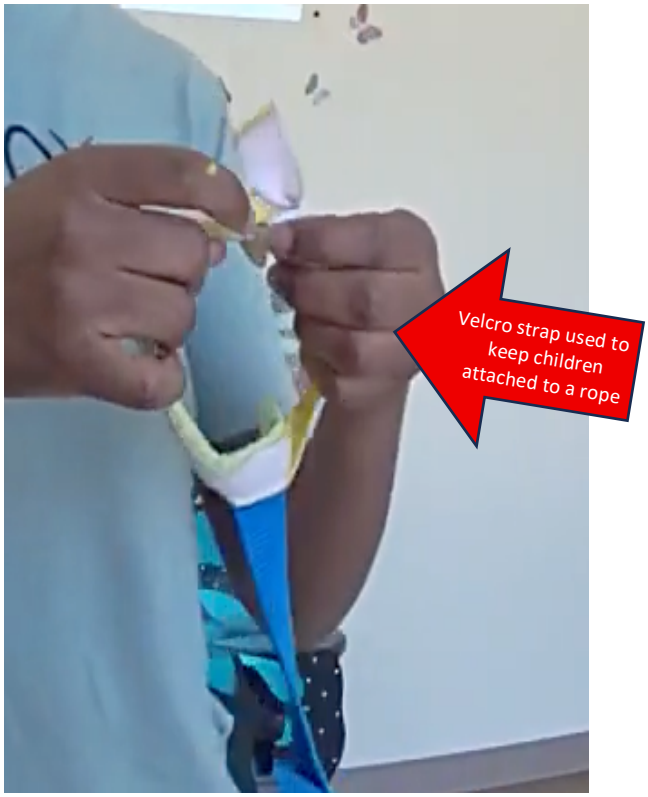
1. Knew that F.J. was missing from the daycare,
2. Knew when F.J. wandered away from the daycare,
3. Knew how F.J. wandered away, or
4. Knew how long F.J. had been missing from the daycare.

10. BeYOUtiful Beginnings does not have any video cameras installed in the daycare. During the investigation, BeYOUtiful Beginnings was questioned about their transition safety procedures. In response, **BeYOUtiful Beginnings** told law enforcement that they do the following: 1. Perform headcounts and name-to-face attendance checks before, during, and after outdoor playtime, and; 2. Have a practice of linking the children together on a rope with a Velcro strap around the wrist of each child as they walk across the parking lot and alleyway to and from the daycare's playground, with one caregiver at the front leading the children and another at the back behind the children.

11. During the investigation, **BeYOUtiful Beginnings admitted** to law enforcement that on the date of incident, **no one** performed a proper headcount or name-to-face attendance check of the children at **any of the required times** – not *before* going outside to the playground, not *during* the time they were on the playground, nor when *transitioning* the kids back into the building from the playground.

## BeYOUtiful BEGINNINGS KNEW THEIR 'ROPE & VELCRO STRAP' TRANSITION "PROCEDURE" WAS UNSAFE BUT CONTINUED TO USE IT ANYWAY.

12. BeYOUtiful Beginnings *also* admitted to Fort Worth Police Department Officers that **they knew** the 'rope and Velcro strap' procedure was ***not reliable*** because children often unlatched themselves from the Velcro strap – making the presence of *several* qualified caregivers and the performance of headcounts and name-to-face attendance checks all the more important.




*Screenshot of the BeYOUtiful Beginnings Caregiver demonstrating to Fort Worth Police Department Officers how the children are able to unlatch themselves from the Velcro strap.*

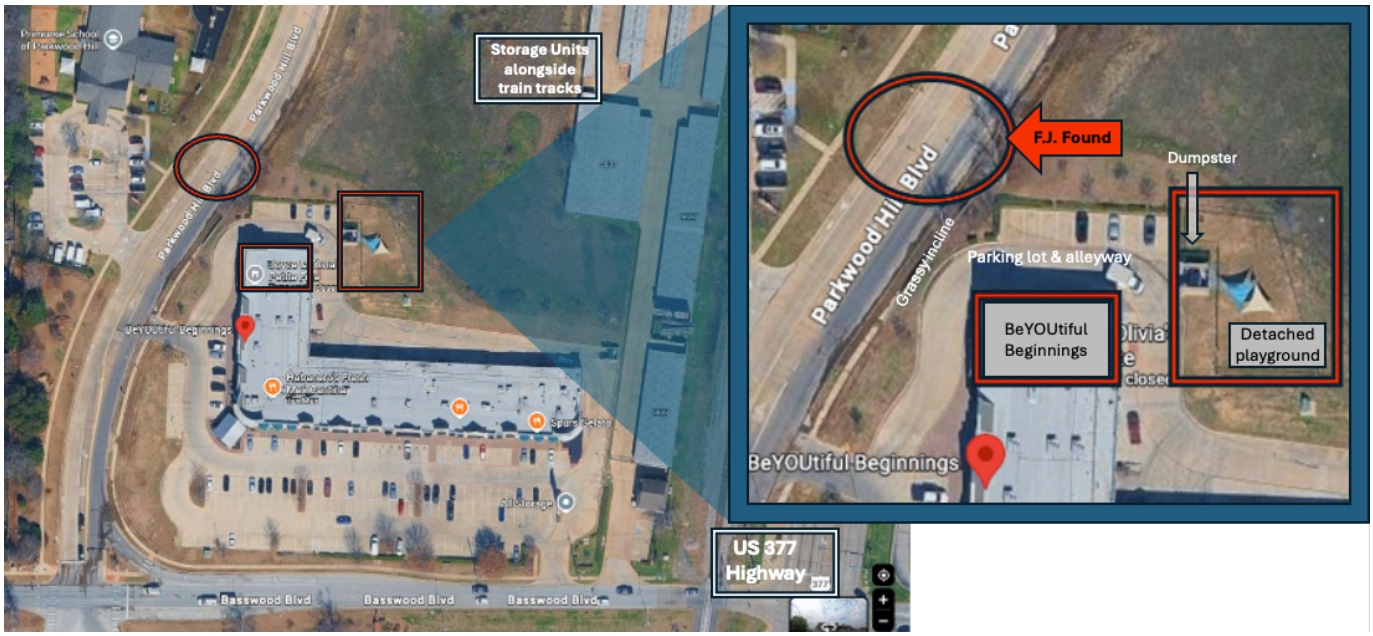
13. The Fort Worth Police Department investigation report notes that when questioned, the BeYOUtiful Beginnings' Caregiver that was left in charge of F.J. explained that she was "overwhelmed" because the assigned co-teacher had left her outside alone with all the children during transition from the playground to the building. The BeYOUtiful Beginnings co-teacher had picked up one of the children in the class and went ahead into the building, leaving behind one overwhelmed teacher *alone* and in charge of a full class of toddlers by *herself*.

14. An unreliable and unsafe transition procedure. A failure to ensure caregivers know and understand how and when to conduct the required headcounts and name-to-face attendance checks. An overwhelmed caregiver left by herself. **BeYOUtiful Beginnings failed at every step**.

## THE SCARY TRUTH IS: WITHOUT THE ACTIONS OF TWO GOOD SAMARITANS, 2-YEAR-OLD F.J. MAY NOT BE ALIVE TODAY

15. BeYOUtiful Beginnings is one of several businesses operating out of a strip mall off the corner of Basswood Boulevard and Parkwood Hill Boulevard in Fort Worth. Parkwood Hill, where F.J. was found, is a busy multi-lane street with a speed limit of 35 mph. Parkwood Hill is lined with a grassy incline that a 2-year-old could easily go tumbling down. The daycare's playground is detached from the building and located behind a parking lot and alleyway that loops around the building. The building's dumpster sits up against the detached playground. Surrounding the back of the playground is a large, wooded field and storage unit business that runs along train tracks and US Highway 377.

16. If it were not for the swift actions of two community members, who knows *if* or *when* 2-year-old F.J. would have been found. The danger she was put in by BeYOUtiful Beginnings is something no parent should have to imagine.



# BeYOUtiful BEGINNINGS VIOLATED CHILD CARE SAFETY LAWS

17. The Texas Health and Human Services Commission Child-Care Licensing Division and Texas Department of Family and Protective Services (DFPS) conducted an independent investigation into what happened to F.J. and determined that BeYOUtiful Beginnings violated multiple childcare safety laws. As a result of the investigation, BeYOUtiful Beginnings received the following citations for their failures:

- **746.1201(4) – Cited for Failing to Ensure No Child is Neglectfully Supervised:** *BeYOUtiful Beginnings failed to ensure that F.J. was not subjected to neglectful supervision while in care. That failure resulted in F.J. wandering off the operation's property.*

- **746.1201(1) – Cited for Caregivers Failing to Demonstrate Competency:** *BeYOUtiful Beginnings Caregivers did not demonstrate competency when center procedures were not followed such as performing name-to-face checks.*

- **746.1205(a)(4) – Cited for Failing to Properly Supervise Children:** *BeYOUtiful Beginnings left a child unsupervised.*

- **746.1201(a)(1) – Cited for Failing to Know Which Child Each Caregiver is Responsible For:** *A child that was present at BeYOUtiful Beginnings was not listed on any of the attendance face sheets.*

- **746.105(a)(2) – Cited for Failing to Know How Many Children Each Caregiver is Responsible For:** *On the day BeYOUtiful Beginnings lost F.J., the Caregivers were unable to state an accurate count of children present and in their care.*

18. BeYOUtiful Beginnings is responsible for qualifying, hiring, training, and supervising its employees on safe and proper care conducive to the welfare of children; supervising children at all times to ensure their safety and wellbeing; the performance of head counts and proper name-to-face checks to ensure all children are accounted for; ensuring no child is neglected; having appropriate visual and/or auditory awareness of each child; maintaining a safe environment for children in their care; and compliance with Texas' Minimum Standards for Childcare.

19. BeYOUtiful Beginnings negligently operated its facility and placed F.J., and other children similarly situated at direct risk of serious life-threatening injury or death. BeYOUtiful failed to properly supervise the children in its care; failed to have and enforce a safe transition procedure; failed to conduct proper headcounts and name to face checks to account for children in their care; failed to recognize a child was missing from their care; failed to provide a safe environment for a child in their care; failed to ensure no child was neglected in their care; negligently hired unqualified and untrained employees; failed to supervise its employees; and left F.J. and numerous other children in the hands of incompetent and irresponsible caregivers.

**Liability is clear**

20. What happened to F.J. was preventable. Parents have the right to expect that their child will never be able to wander out of a daycare unnoticed. BeYOUtiful Beginnings promised safety and security backed by qualified, fit, trained, and supervised teachers – and they failed miserably.

21. As a direct and proximate result of the actions and/or omissions of BeYOUtiful Beginnings, Plaintiffs sustained injuries and damages.

## DISCOVERY CONTROL PLAN & CLAIM FOR RELIEF

22. Discovery in this matter is intended to be conducted under Level 3 of the Texas Rules of Civil Procedure.

23. As required by the Texas Rule of Civil Procedure 47(c), Plaintiffs' counsel states that Plaintiffs seek monetary relief over $1,000,000.00; however, the amount of monetary relief awarded will ultimately be determined by a jury.

## PARTIES

24. Plaintiffs Felisha Jones and Travae Jones, individually and as parents and next friends of Plaintiff F.J., a minor, and are citizens of Camden County, New Jersey.

25. **Defendant BeYOUtiful Beginnings LLC,** (herein "BeYOUtiful Beginnings"), is a limited liability company doing business in the State of Texas, its state of formation. Defendant operates a daycare under operation license number 1774648, with a physical address location of 5601 Basswood Blvd., Ste. 105, Fort Worth, TX 76137. Defendant may be served with process by serving its registered agent, **Brianna A. Smith** at **1144 Trinity Trail, Saginaw, TX 76131** or wherever they may be found.

## JURISDICTION & VENUE

26. The Court has subject matter jurisdiction over this lawsuit because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

27. Venue is proper in Tarrant County, Texas, under Texas Civil Practices and Remedies Code Section 15.002(a) because this is the county where all or part of the events or omissions giving rise to the claim occurred.

## CAUSES OF ACTION

### Count One – Negligence

28. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

29. The occurrence made the basis of this suit, reflected in the above paragraphs, and the resulting injuries and damages of Plaintiffs were proximately caused by the negligent conduct of the Defendant. Defendant had a duty to maintain a safe environment for children in its care to prevent harm and injury to F.J. and other children similarly situated. Defendant was negligent

by breaching the duty that was owed to Plaintiffs, to exercise ordinary care in one or more of the following acts or omissions, constituting negligence:

a. Failing to exercise the care that was necessary under the circumstances;

b. Failing to do what a reasonable daycare would have done under the circumstances;

c. Failing to properly supervise the children in their care;

d. Failing to maintain a safe environment for children;

e. Failing to properly hire, qualify, train, and supervise its employee-caregivers trusted with the care of minor Plaintiff F.J.;

f. Failing to have appropriate visual and/or auditory awareness of each child;

g. Failing to have and enforce a safe transition procedure;

h. Failing to perform head counts and name-to-face attendance checks;

i. Failing to account for all children under their care and supervision;

j. Failing to ensure caregiver employees demonstrate competency, good judgment, and self-control;

k. Failing to ensure no child is abused, neglected, or exploited;

l. Failing to perform name-to-face counts of children; and

m. Failing to ensure the daycare was operating in compliance with the Texas Minimum Standards for Child Care;

30. Defendant had a duty to exercise ordinary care in caring for and supervising the children in its care so as to prevent injury to F.J. and other children similarly situated.

31. Defendant had a duty to maintain a safe environment for children in its care so as to prevent injury to F.J., and other children similarly situated.

32. Defendant had a duty to hire, train, and supervise their employees to ensure that children in their care were safe to prevent injury to F.J., and other children similarly situated.

33. Defendant breached the duty of care by failing to properly care for the children; failing to properly supervise the children; failing to have appropriate visual and/or auditory awareness of each child; failing to properly train, hire, and supervise its employees; failing to maintain a safe environment for children; and failing to properly account for every child under their care and supervision.

34. Defendant's negligent acts and/or omissions, and breach of duties, directly and proximately caused injury to Plaintiffs, which resulted in significant damages.

## Count Two – Negligence Per Se

35. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

36. Defendant failed to exercise the mandatory standard of care in violation of the Texas Department of Family and Protective Services, Minimum Standards for Child-Care.

37. In the foregoing claims of negligence per se, Plaintiffs were, at all times, members of the class that the statutes the Defendant violated were designed to protect.

38. Defendant's violation of the statutes was the proximate cause of the Incident in question.

39. As a result of the Defendant's acts and/or omissions in violating the statutes, Plaintiffs sustained damages.

## Count Three – Gross Negligence

40. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

41. Defendant's conduct was more than momentary thoughtlessness or inadvertence. Rather, the acts and/or omissions by Defendant in the preceding paragraphs constitute gross negligence as that term is defined in Texas Civil Practices and Remedies Code §41.001(11).

42. Defendant's conduct involved an extreme degree of risk, considering the probability and magnitude of potential harm to the Plaintiffs. Defendant had actual, subjective awareness of the risk involved, but, nevertheless, proceeded in conscious indifference to the rights, safety, or welfare of Plaintiffs or of others similarly situated.

43. The above acts and/or omissions were singularly and cumulatively the proximate cause of the occurrence in question and the resulting injuries and damage sustained by Plaintiffs.

## Count Four – Negligent Activity

44. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

45. Defendant is the owner, operator, and/or possessor of the daycare premises called BeYOUtiful Beginnings, located at 5601 Basswood Blvd., Ste. 105, Fort Worth, TX 76137, operation license number 1774648, during the time of this incident.

46. At the time of the Incident, F.J. was a minor child placed in the care of Defendant and was thus an "invitee" to whom Defendant owed a duty to exercise ordinary care.

47. Plaintiffs' injuries were the direct and contemporaneous result of Defendant ongoing negligent activity on the premises at the time of the injuries and damages sustained.

48. Defendant owed Plaintiffs a legal duty to ensure F.J.'s safety in maintaining proper care over the children, ensuring that employees are necessarily hired, trained, supervised, and terminated in order to maintain a safe environment for children, and ensuring that every child is properly accounted for. Defendant breached these duties by failing to maintain a safe environment for F.J. and failing to train and supervise its caregiver employees on how to supervise children.

49. Such negligent activity on the part of the Defendant proximately caused the injuries and other damages suffered by Plaintiffs.

## RESPONDEAT SUPERIOR

50. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

51. The negligence and carelessness of Defendant's employees proximately caused the damage and losses suffered by Plaintiffs as a result of the injury. At all times material to this action, Defendant's employees were acting in the course and scope of their employment. Accordingly, Defendant may be held responsible for its employees' negligence under the doctrine of respondeat superior.

## DAMAGES

52. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

53. As a direct and proximate cause of Defendant's negligent acts and/or omissions, Plaintiffs Felisha Jones and Travae Jones, individually, and as Next Friend of Plaintiff F.J., a minor child, suffered damages and injuries that include, but are not limited to:

a. Physical pain and suffering in the past;

b. Physical pain and suffering, in reasonable probability, sustained in the future;

c. Mental anguish in the past;

d. Mental anguish, in reasonable probability, sustained in the future;

e. Reasonable and necessary medical expenses in the past;

f. Reasonable and necessary medical expenses, in reasonable probability, sustained in the future;

g. Loss of wages in the past;

h. Loss of wages, in reasonable probability, sustained in the future;

i. Loss of wage-earning capacity in the past;

j. Loss of wage-earning capacity, in reasonable probability, sustained in the future;

k. Physical impairment in the past;

l. Physical impairment, in reasonable probability, sustained in the future;

m. Loss of the normal enjoyment of the pleasure of life in the past;

n. Loss of the normal enjoyment of the pleasure of life, in reasonable probability, sustained in the future;

o. Costs of suit; and

p. All other relief, in law and equity, to which Plaintiffs may be entitled.

54. Plaintiffs' damages clearly exceed the minimum jurisdictional requirements for this Court. Plaintiffs, therefore, seek compensation by the Court and jury for their damages, in an amount to be determined by the jury.

## EXEMPLARY DAMAGES

55. Plaintiffs incorporate by reference the preceding paragraphs as if stated fully herein.

56. Plaintiffs would further show that the acts and/or omissions of the Defendant complained of herein were committed knowingly, willfully, intentionally, with actual awareness, and with the specific and predetermined intention of enriching said Defendant at the expense of Plaintiffs.

57. The grossly negligent conduct of Defendant, as described herein, constitutes conduct for which the law allows the imposition of exemplary damages. Accordingly, Plaintiffs seek the award of exemplary damages against Defendant pursuant to Chapter 41 of the Texas Civil Practices and Remedies Code.

## JURY TRIAL

58. Plaintiffs demand a jury trial and have tendered the appropriate fee with the filing of this Original Petition.

## U.S. LIFE TABLES

59. Notice is hereby given that Plaintiffs intend to use the U.S. Life Tables as prepared by the Department of Health and Human Services.

## PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendant be cited to appear and answer herein and upon final hearing hereof, they take, have and recover, of and from said Defendant, the above damages, exemplary damages, costs of court, pre-judgment interest, post-judgment interest, and for such other and further relief to which they may show themselves justly entitled.

**Dated: November 05, 2026.**

Respectfully submitted,

**THE BUTTON LAW FIRM**

*/s/ Russell T. Button*
Russell T. Button
Texas Bar No. 24077428
russell@buttonlawfirm.com
Ashley D. Knarr
Texas Bar No. 24102030
ashley@buttonlawfirm.com
Kaitlyn Moreno
Texas Bar No. 24125670
kaitlyn@buttonlawfirm.com
Rena Piper
Texas Bar No. 24120428
rena@buttonlawfirm.com
4315 W. Lovers Lane, Suite A
Dallas, Texas 75209
T: 214-88-2216
F: 214-481-8667
Email for Service: service@buttonlawfirm.com
**ATTORNEYS FOR PLAINTIFFS**