

APR 17 2026

**ORDER REGARDING UNAUTHORIZED CATTLE GUARD
AND REQUEST FOR PUBLIC HEARING**

RENE TREVINO
CLERK OF COUNTY COURT
LAMB COUNTY, TEXAS

On the 13th day of April, 2026, the Commissioners Court of Lamb County, Texas convened in a special public meeting and session at the Lamb County Courthouse in Littlefield, Texas, with the following members present:

County Judge James M. DeLoach, Presiding
Commissioners: Cory DeBerry, Kent Lewis, Danny Short, and Lee Logan

I. FINDINGS REGARDING THE ROADWAY AND COURT AUTHORITY

The Court FINDS that the roadway at issue, County Road 239, within Precinct 1, Lamb County, Texas, is a public county road as defined by Texas Transportation Code § 251.002.

The Court further FINDS it has general supervisory control over county roads and rights-of-way pursuant to Texas Transportation Code §§ 251.003, 251.004, and 251.016, and that public roads must remain free from obstructions under § 251.008 unless otherwise authorized.

II. UNAUTHORIZED INSTALLATION

The Court FINDS that Christopher DeBerry installed a cattle guard, along with associated posts and fencing, constructed across the county road and/or within the county right-of-way without prior approval of the Commissioners Court. The Court became aware of its installation on or about January 29, 2026. The cattle guard had been installed across CR 239, located approximately 1/2 & 1 mile North of FM 2080, in Lamb County.

The Court further FINDS that:

1. No application or request for approval was submitted prior to installation;
2. The installation does not conform to any plans or specifications adopted by the Court; and
3. The structure constitutes an unauthorized encroachment within the county right-of-way.

III. NOTICE PROVIDED

The Court FINDS on or about February 9th, 2026, Lamb County, through its County Judge, provided written notice to Mr. Christopher DeBerry advising: The cattle guard was unauthorized; it must be removed or formally submitted for consideration; and the installation raised safety and roadway access concerns.

The Court further FINDS this notice was sufficient to inform Mr. DeBerry of the County's position and the available options.

IV. REQUEST FOR PUBLIC HEARING

The Court FINDS Mr. Christopher DeBerry submitted a written request for a public hearing regarding the proposed removal of the cattle guard; the request was made by a resident of Lamb County; and the request was timely filed within the statutory period required by Texas Transportation Code § 251.0096(b), following the mailing of notice. Accordingly, the Court provided sufficient notice pursuant to state statute, and conducted a public hearing as required by law.

V. CONSIDERATION BY THE COURT

The Court, after providing an opportunity for and receiving public comment, considered all arguments, evidence, and information presented, including: the unauthorized nature of the installation; the location within the county right-of-way; the lack of prior approval; applicable statutory requirements; and the impact on public travel, safety, and county maintenance operations.

VI. FINDINGS AND DETERMINATION

After due consideration, the Commissioners Court makes the following FINDINGS:

1. The cattle guard was installed without lawful authorization;
2. It does not qualify for approval under Texas Transportation Code § 251.009;
3. It interferes with or has the potential to interfere with:
 - a. Public travel;
 - b. Road maintenance operations; and
 - c. Safe use of the roadway; and
4. It constitutes an obstruction within a public roadway/right-of-way.

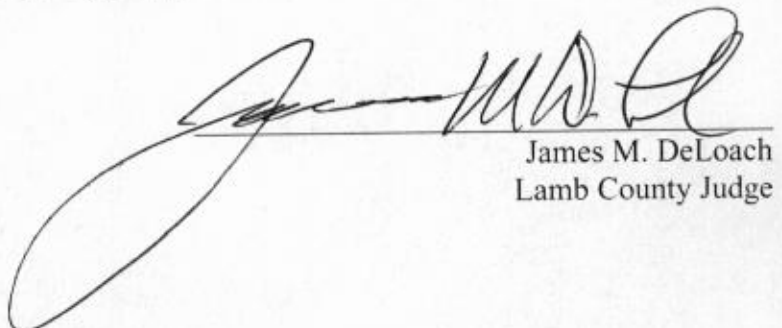
VII. ORDER

IT IS THEREFORE ORDERED that:

1. The request of Mr. Christopher DeBerry to retain or maintain the cattle guard within the county road or right-of-way is hereby DENIED;
2. The cattle guard, posts, fencing, and any related structures located within the county right-of-way shall be removed immediately, and the roadway and right-of-way shall be restored to their prior condition; and

The Commissioners Court reserves all rights and remedies available under law to enforce this Order.

SIGNED AND ENTERED this 13th day of April, 2026.



James M. DeLoach
Lamb County Judge