

**DKT (217)**



**OBJ TO TITLE IV INTERVENTION**

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**FEE: \$0.00**

**FILER/REQUESTOR: CHARLES DUSTIN MYERS**

FILED  
TARRANT COUNTY  
7/1/2024 12:00 AM  
THOMAS A. WILDER  
DISTRICT CLERK

NO. 322-744263-23  
IN THE 322<sup>ND</sup> DISTRICT COURT OF TARRANT COUNTY,  
TEXAS

**Morgan Michelle Myers,**

Petitioner,

v.

**Charles Dustin Myers,**

Respondent

OBJECTION TO TITLE-IV  
INTERVENTION

2024-06-30

**TO THE HONORABLE JAMES MUNFORD OF THE 322<sup>nd</sup>  
DISTRICT COURT OF TARRANT COUNTY:**

- In this document, "the Couple" refers collectively to the Petitioner and Respondent.

The Respondent respectfully objects to the Title-IV Agency intervention for the foregoing reasons:

**I. BACKGROUND**

1. In January of 2021, the decision to pursue a career from home came from a deep desire within the Respondent to provide a dual role for his Children – being that of a provider and a caregiver. Leading up to that point, the Couple had alternated roles in providing for their children: one parent worked to support the family

financially while the other assumed a full-time caretaker role. However, this decision ended up being in the best interest of the children.

2. The harmonious arrangement was greatly facilitated by the support of Margie and Jesse Wilson—next-door neighbors, landlords, and great-grandparents to the children involved in this case. The Wilsons provided a stable and affordable home at a discounted rental rate of \$800 per month, laying a foundation for a nurturing and stable environment for the children. With regular, daily access to both parents and the added benefit of their great grandparents living next door on a tranquil cul-de-sac in Watauga—the children benefitted from a uniquely supportive and loving environment, which created an ideal situation for the children's growth and well-being.

3. The new arrangement afforded the Petitioner a significant amount of time, which she allocated to becoming more involved with the PTA, eventually becoming President. The Respondent continued to pursue growth and expand his knowledge in the fields of market finance, programming, SEC law, and legal transcription via Crowd Surf and similar platforms while both parents remained daily figures in all facets of their day-to-day lives.

## II. STATUTORY PROTECTIONS

4. The Texas Family Code references “the best interest of the child” 109 times throughout its’ 1,627 pages. The word “always” appears just once – within *Id* § 153.002.

5. The language provided by *Id* – being unambiguous on its’ face – shows a clear requirement by the State to meet its’ statutory requirement:

“[t]he best interest of the child shall always be the primary consideration of the court in determining the issues of conservatorship and possession of and access to the child. “ *Id.*

6. These statutory protections “...are [clearly] indicative of the wide discretion the Legislature has granted the courts to act when the best interest of the child would be served thereby.” *Lutheran Social Service, Inc. v. Meyers*, 460 S.W.2d 887 (Tex. 1970). Despite this wide discretion, this court has chosen not to use it.

7. Long ago, in *Holley V. Adams*, 544 S.W.2d 367 (Tex. 1976) the Supreme Court of Texas provided this State with a non-exhaustive list of factors that the court may use in determining the best interest of the Child. Despite these factors, the court has taken into consideration none of them.

8. In more recent jurisprudence, the United States Supreme Court in *Troxel v. Granville*, 530 U.S. 57 (2000), affirmed that under the Fourteenth Amendment, parents have a fundamental right to direct the care, custody, and control of their children.

9. When contested issues are at hand, the *Texas Family Code* affords litigants with a reporter of record to preserve the ability to make an effective appeal. *Id* §105.003. This statutory mandate was ignored.

10. When a Petitioner waives the 60-day waiting period for divorce claiming an active order of protection exists against the Respondent, the Petitioner is required to attach the order to the Petition prior to any hearing. *Id* § 6.405(b). Despite no such order existing, no hearing should have ever taken place.

### III. STATE INTERVENTION

11. On January 16<sup>th</sup>, 2024, the State simply did what it cannot do, and failed to offer the State mandated protections afforded by *Id.*

12. The decision rendered on 01/16/2024 was a de facto temporary termination of parental rights prior to any evidentiary hearing taking place.

13. The subsequent order rendered on 01/22/2024 by Judge Kaitcer prolonged the initial orders.

14. On February 1st, 2024, a settlement agreement was drafted by the Respondent's own legal counsel, who advised the Respondent to sign the agreement, resulting in his immediate termination and challenge of the original agreement on reconsideration. A true and accurate copy of this agreement has been attached hereto as **Exhibit A**.

15. A hearing wasn't scheduled until March 14th, 2024, due to delays by our friends on the other side, who have filed no opposition to any claims for relief made by the Respondent or allegations asserted. In fact, this was the only hearing that took place in this case.

16. Despite invoking the statutory protections mentioned above at the hearing, the court rendered temporary orders which were permitted to be reduced to writing outside of their own procedural requirements ordered by the same judge by an attorney who had no initial desire to represent the Petitioner in the first place.

17. Despite the hearing being contested, and notwithstanding the statutory requirement for the court to provide a court reporter in such cases, this requirement was once again ignored. This omission rendered it impossible to properly raise an

objection to the deprivation, as the essential element needed to make the objection was not provided.

18. Given the State's initial failure to uphold its mandated requirements set forth in the Texas Family Code, any further State intervention would lead to and has led to the same failure giving the magnitude of the decision made at the onset.

19. This court has no facts regarding the decisions made affecting the parent-child relationship and therefore has not considered the best interest of the child.

#### IV. CONTINUOUS DEFECT

20. The last contact with the opposing counsel occurred on May 19<sup>th</sup> in response to a defective IWO regarding the relevance of the orders in question. A true and accurate copy of these emails has been attached hereto as **Exhibit B**.

A true and accurate copy of the defective IWO has been attached hereto as **Exhibit C**.

#### V. CONSENT

21. The consent from the Respondent is what this court relies on. Without it – there's no basis for any decision made. "Once the trial court renders an agreed judgment, a party may not withdraw his consent if the trial court was unaware of any objection at the time of rendition." *In re D.S.*, 76 S.W.3d 512 (Tex. App. 2002); *see First Heights Bank, FSB v. Marom*, 934 S.W.2d 843 (Tex.App.-Houston [14th Dist.] 1996, no writ). In this instance, at the time of rendition, Judge Jeffrey Kaitcer was well aware of consent not being present at the time of rendition, but rendered them anyway.

## VI. PREMATURITY

22. The intervention request made by the Title-IV Agency is premature. The case is currently pending review in the Supreme Court of Texas, and the Agency has no facts pertaining to this case as outlined in the language of their pleading.

23. Rather than intervening on an erroneous and fraudulently rendered temporary order prior to any factual understanding of the case - the agency should consider filing an amicus brief in support of the Respondent with the Supreme Court of Texas given the destruction caused by the State thus far – or request findings of fact and conclusions of law from the trial court. The State's mandate to enforce and establish child support should come only second to and after affirmation that the current custodial arrangements are in the best interest of the child.

24. The Respondent timely requested findings of fact and conclusions of law regarding the current orders in question over 90 days ago which have yet to be answered.

## VII. CONCLUSION

25. This request for intervention is another attempt by our friends on the other side to have the work which should already be on file with the court completed for them.

26. After seven months of litigation, our friends on the other side have done nothing but delay proceedings, file fraudulent and inaccurate pleadings, ignore civil procedure, and are now trying to enforce a void order rendered outside of their own procedural requirements.

27. The unacceptable negligence on behalf of Cooper L. Carter and the trial court as a whole all stems from the intentional, malicious, and deceptive pleadings filed by the Petitioner, and influenced by Daniel Branthoover, and Margie Wilson resulting in direct interference with the Respondent's constitutional rights.

28. No amount of child support can replace what this State and the Petitioner have willingly destroyed with the assistance of Cooper L. Carter, who should be required to disqualify herself from the case due to the inability to perform her duties competently. Given she was required to represent the Petitioner in the first place against her own wishes – the same requirement to withdrawal is appropriate here.

### **VIII. PRAYER**

Respondent respectfully prays for the following:

1. Deny further state intervention until the facts of the case are before the court.
2. Provide findings of fact and conclusions of law for the orders in question as requested on March 26<sup>th</sup>, 2024, and how they are in the best interest of the Child.
3. Conduct any future hearings in the District Court furnished with a court reporter as mandated by the Texas Family Code.
4. Provide any other equitable relief the court deems necessary.

Respectfully Submitted,  
/s/ Charles Dustin Myers  
Charles Dustin Myers  
[Chuckdustin12@gmail.com](mailto:Chuckdustin12@gmail.com)  
1-817-507-6562



**CERTIFICATE OF SERVICE**

I certify that a true copy of this document was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on June 23rd, 2024:

Morgan Michelle Myers by electronic filing manager at morganmw02@gmail.com.

Cooper L. Carter by electronic filing manager at cooperccarter@majadmin.com.

CSD Filer 914 by electronic filing manager at csd-filer-914@texasattorneygeneral.gov

**EXHIBIT B**  
**email correspondence (IWO)**



**Cooper Carter** <coopercarter@majadmin.com>  
to me ▾

Thu, May 9, 1:12 PM



Mr. Myers,

Attached is a copy of the Income Withholding Order regarding your child support obligation as agreed to by the parties and ordered by the Court for your review. If you are in agreement that these provisions are in accordance with the Temporary Orders that were agreed to by the parties and rendered by the Court, then please notify me of your acceptance of these orders and I will file it with the court. If you are not in agreement that these orders do not conform with the Temporary Orders signed by the Judge, then please notify me of what you believe the discrepancy to be.

If I do not receive any communication from you regarding this matter within 10 days, I will be filing this document with the Court and submitting it to the Judge for signature.

Thank you,

Cooper L. Carter  
Attorney at Law

RE: IWO 



**Charlie Vids** <chuckdustin12@gmail.com>

Sun, May 19, 9:33 PM



to Cooper ▾

Ms. Carter,

I have reviewed the Income Withholding Order (IWO) you sent and found it to be defective.

I am unable to accept the document in its current form.

Please review and ensure all information is correct and complete before resubmission.

Thank you for your attention to this matter.

Best regards,

Charlie

# EXHIBIT C

## defective IWO

## INCOME WITHHOLDING FOR SUPPORT

OMB 0970-0154  
Expiration Date: 09/30/2023

## I. Sender Information: (Completed by the Sender)

Date:

INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)

AMENDED IWO

ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT

TERMINATION OF IWO

Child Support Enforcement (CSE) Agency    Court    Attorney    Private Individual/Entity (Check One)

**NOTE:** This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions [www.acf.hhs.gov/css/resource/income-withholding-for-support-instructions](http://www.acf.hhs.gov/css/resource/income-withholding-for-support-instructions)). If you receive this document from someone other than a state or tribal CSE agency or a court, a copy of the underlying support order must be attached.

State/Tribe/Territory

Remittance ID (include w/payment)

City/County/Dist./Tribe

Order ID

Private Individual Entity

Case ID

## II. Employer and Case Information: (Completed by the Sender)

RE:

Employer/Income Withholder's Name

Employee/Obligor's Name (Last, First, Middle)

Employer/Income Withholder's Address

Employee/Obligor's Social Security Number

Employee/Obligor's Date of Birth

Custodial Party/Obligee's Name (Last, First, Middle)

Employer/Income Withholder's FEIN

Child(ren)'s Name(s) (Last, First, Middle)

Child(ren)'s Birth Date(s)

## III. Order Information: (Completed by the Sender)

This document is based on the support order from

(State/Tribe).

You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$	Per	current child support		
\$	Per	past-due child support - Arrears greater than 12 weeks?	Yes	No
\$	Per	current cash medical support		
\$	Per	past-due cash medical support		
\$	Per	current spousal support		
\$	Per	past-due spousal support		
\$	Per	other (must specify)		

for a **Total Amount to Withhold** of \$                      per

## IV. Amounts to Withhold: (Completed by the Sender)

You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$	per weekly pay period	\$	per semimonthly pay period (twice a month)
\$	per biweekly pay period (every two weeks)	\$	per monthly pay period

\$ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) STATEMENT OF PUBLIC BURDEN: The purpose of this information collection is to provide uniformity and standardization. Public reporting burden for this collection of information is estimated to average two to five minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a mandatory collection of information in accordance with 45 CFR 303.100 of the Child Support Enforcement Program. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless it displays a currently valid OMB control number. If you have any comments on this collection of information, please contact the Employer Services Team by email at [employerservices@acf.hhs.gov](mailto:employerservices@acf.hhs.gov).

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN: [REDACTED]

Case ID:

Order ID:

**V. Remittance Information: (Completed by the Sender except for the "Return to Sender" check box.)**

If the employee/obligor's principal place of employment is (State/Tribe), you must begin withholding no later than the first pay period that occurs days after the date of of the order/notice. Send payment within business days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold % of disposable income for all orders. If the employee/obligor's principal place of employment is not (State/Tribe), obtain withholding limitations, time requirements, the appropriate method to allocate among multiple child support cases/orders and any allowable employer fees from the jurisdiction of the employee/obligor's principal place of employment.

State-specific withholding limit information is available at [www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements](http://www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements). For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at [www.acf.hhs.gov/sites/default/files/programs/css/tribal\\_agency\\_contacts\\_printable\\_pdf.pdf](http://www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf) or [www.bia.gov/tribalmap/DataDotGovSamples/tld\\_map.html](http://www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html).

You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) [15 USC §1673 (b)]; or 2) the amounts allowed by the law of the state of the employee/obligor's principal place of employment if the place of employment is in a state; or the tribal law of the employee/obligor's principal place of employment if the place of employment is under tribal jurisdiction. The CCPA is available at [www.dol.gov/sites/dolgov/files/WHHD/legacy/files/garn01.pdf](http://www.dol.gov/sites/dolgov/files/WHHD/legacy/files/garn01.pdf). If the Order Information section does not indicate that the arrears are greater than 12 weeks, then the employer should calculate the CCPA limit using the lower percentage.

If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to federal, state, or tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support.

If the obligor is a nonemployee, obtain withholding limits from the **Supplemental Information** section in this IWO. This information is also available at [www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements](http://www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements).

**Remit payment to**

at

(SDU/Tribal Order Payee)

(SDU/Tribal Payee Address)

Include the Remittance ID with the payment and if necessary this locator code of the SDU/Tribal order payee on the payment.

To set up electronic payments or to learn state requirements for checks, contact the State Disbursement Unit (SDU). Contacts and information are found at [www.acf.hhs.gov/css/resource/sdu-eft-contacts-and-program-requirements](http://www.acf.hhs.gov/css/resource/sdu-eft-contacts-and-program-requirements).

**Return to Sender (Completed by Employer/Income Withholder).** Payment must be directed to an SDU in accordance with sections 466(b)(5) and (6) of the Social Security Act or Tribal Payee (see Payments in Section VI). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you must check this box and return the IWO to the sender.

**If Required by State or Tribal Law:**

Signature of Judge/Issuing Official:

Print Name of Judge/Issuing Official:

Title of Judge/Issuing Official:

Date of Signature:

If the employee/obligor works in a state or for a tribe that is different from the state or tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN:

Case ID:

Order ID:

**VI. Additional Information for Employers/Income Withholders: (Completed by the Sender)**

**Priority:** Withholding for support has priority over any other legal process under State law against the same income (section 466(b)(7) of the Social Security Act). If a federal tax levy is in effect, please notify the sender.

**Payments:** You must send child support payments payable by income withholding to the appropriate State Disbursement Unit or to a tribal CSE agency within 7 business days, or fewer if required by state law, after the date the income would have been paid to the employee/obligor and include the date you withheld the support from his or her income. You may combine withheld amounts from more than one employee/obligor's income in a single payment as long as you separately identify each employee/obligor's portion of the payment. Child support payments may not be made through the federal Office of Child Support Enforcement (OCSE) Child Support Portal.

**Lump Sum Payments:** You may be required to notify a state or tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments. Employers/income withholders may use OCSE's Child Support Portal ([ocsp.acf.hhs.gov/csp/](https://ocsp.acf.hhs.gov/csp/)) to provide information about employees who are eligible to receive lump sum payments and to provide contacts, addresses, and other information about their companies. Child support payments may not be made through the federal OCSE Child Support Portal.

**Liability:** If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by state or tribal law/procedure.

**Anti-discrimination:** You are subject to a fine determined under state or tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

**Supplemental Information:**



Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN:

Case ID:

Order ID:

**VII. Notification of Employment Termination or Income Status: (Completed by the Employer/Income Withholder)**

If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, you must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the **Contact Information** section below or using OCSE's Child Support Portal ([ocsp.acf.hhs.gov/csp/](https://ocsp.acf.hhs.gov/csp/)). Please report the new employer or income withholder, if known.

This person has never worked for this employer nor received periodic income.

This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date:

Last known telephone number:

Last known address:

Final payment date to SDU/Tribal Payee:

Final payment amount:

New employer's or income withholder's name:

New employer's or income withholder's address:

**VIII. Contact Information: (Completed by the Sender)****To Employer/Income Withholder:** If you have questions, contact

(sender name) by

telephone:

, by fax:

, by email or website:

.

Send termination/income status notice and other correspondence to:

(sender address).

**To Employee/Obligor:** If the employee/obligor has questions, contact

(sender name)

by telephone:

, by fax:

, by email or website:

.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

**Encryption Requirements:**

When communicating this form through electronic transmission, precautions must be taken to ensure the security of the data. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Enforcement. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 89346219

Filing Code Description: Request

Filing Description: Objection to Title-IV Intervention

Status as of 7/1/2024 8:11 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	6/30/2024 6:13:37 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	6/30/2024 6:13:37 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	6/30/2024 6:13:37 PM	SENT

Associated Case Party: ATTORNEY GENERAL OF TEXAS

Name	BarNumber	Email	TimestampSubmitted	Status
HOLLY HAYES		csd-filer-914@texasattorneygeneral.gov	6/30/2024 6:13:37 PM	SENT