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(ATT) COMPREHENSIVE_STATEMENT

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FILER/REQUESTOR: CHARLES DUSTIN MYERS

322-744263-23

COUNTER-PETITION FOR DIVORCE AND COMPREHENSIVE STATEMENT OF CONTEXT

IN THE DISTRICT COURT OF TARRANT COUNTY, TEXAS

322ND JUDICIAL DISTRICT

MORGAN MICHELLE MYERS,

Plaintiff,

vs.

CHARLES DUSTIN MYERS,

Defendant.

COUNTER-PETITION FOR DIVORCE AND COMPREHENSIVE STATEMENT OF CONTEXT

TO THE HONORABLE JUDGE OF SAID COURT:

I, Charles Dustin Myers, the Defendant in the above-captioned case, submit this Counter-Petition for Divorce and Comprehensive Statement of Context in response to the Original Petition for Divorce filed by Morgan Michelle Myers, the Plaintiff. This document addresses the inaccuracies in the Plaintiff's petition, provides a detailed account of the situation, and outlines the evidence I am prepared to present to the Court.

I. OVERVIEW AND CONTEXT

This divorce is intertwined with two additional legal proceedings - an eviction suit (Case No. JP01-23-E00102017) and a protective order (Case No. 322-744538-23), both of which are deeply entangled with the divorce case (Case No. 322-744263-23).

The significant third-party influence exerted by individuals named Debbie, Damen, and Dan, as well as our landlord – her Grandmother – who lives next door to us - has critically impacted the Plaintiff's decisions and actions in our marital matters and the ongoing divorce proceedings. Notably, Dan Branthoover, a family member, has played an active and concerning role in the process – claiming to be her legal representative yet possessing no license to practice law in the state of Texas.

1. Debbie and Damen's Influence:

I possess extensive text and call logs that unequivocally demonstrate the Plaintiff's prioritization of Debbie and Damen over our family obligations and commitments. These interactions, which have been meticulously logged and analyzed, reveal a consistent pattern where the Plaintiff has chosen to allocate a significant amount of her time and attention to these individuals, even amidst our divorce proceedings. It wasn't until the discovery and subsequent discussion of these interactions that lead to the situation escalating. It is my firm belief that the protective order was filed in an attempt to escape responsibility rather than to seek protection, as we have been co-habiting throughout this process, and joint conservatorship was requested on the original divorce petition.

2. Dan Branthoover's Role:

Dan Branthoover's involvement has escalated beyond mere influence to active participation in the legal aspects of our divorce. He has notably assisted the Plaintiff in preparing and filing divorce papers.

Critically, under Dan's advice, the Plaintiff withdrew \$1,600 from our joint bank account without my authorization. This unauthorized transaction led to a dire financial situation, with a deficit of \$800 in our account, resulting in bounced bills and considerable strain on my business operations.

This act of financial maneuvering, advised and facilitated by Dan, not only infringed upon our mutual financial responsibilities but also breached the trust inherent in our joint financial management. It underscores the extent of third-party involvement in our personal and legal affairs.

3. Communication Breakdown:

Throughout these developments, the Plaintiff has consistently failed to communicate with me about these significant third-party influences and their implications on our divorce and family dynamics. This lack of communication has been a major contributing factor to the misunderstandings and the subsequent escalation of conflict between us.

The involvement of these third parties, particularly the actions taken by Dan Branthoover, have not only influenced the Plaintiff's decisions but also actively interfered with our joint financial integrity and the legal process. This has added layers of complexity to an already challenging situation and has necessitated the presentation of this comprehensive account in the interest of transparency and fairness in these proceedings.

4. Deterioration of Parental Responsibility

Since the announcement of our divorce on December 1st, 2023, there has been a noticeable and concerning shift in Morgan's parenting responsibilities and her involvement in our children's lives. Prior to this date, Morgan was an engaged and active parent. However, since the announcement, her day-to-day interactions with M■■■ and C■■■ have noticeably deteriorated. This change is not only alarming but also detrimental to the well-being and emotional stability of our children.

Morgan has increasingly prioritized her personal interests, specifically her interactions with friends, Debbie, and Damen, over her responsibilities as a mother. It has been observed and documented that she spends an excessive amount of time, estimated to be up to 24 hours per week, visiting these friends. This extensive time spent away from home has not only reduced her physical presence in our children's lives but also impacted her emotional availability to them.

More concerning is the complete lack of effort on Morgan's part to communicate effectively about the children's needs, their daily routines, and their emotional well-being since the divorce announcement. This breakdown in communication is critical, as co-parenting effectively is paramount for the children's adjustment to the changes in our family structure. The inability or unwillingness to engage in meaningful dialogue regarding our children's care is not in their best interest and is counterproductive to their needs during this challenging time.

5. Contradicting and False Statements

Throughout the ongoing divorce proceedings, there have been several instances of contradictory and demonstrably false statements made by Morgan, which have significantly complicated and distorted the case. A critical point of contention is Morgan's claim regarding her inability to pay, which is incongruent with the financial facts presented. Additionally, her request for the waiver of the standard 60-day waiting period for divorce, citing an alleged order that found I had committed family violence, is entirely baseless and untrue.

There is no evidence or record to substantiate claims of family violence in our marriage. In fact, this assertion directly contradicts my clean record and consistent history of being a caring and non-violent partner and father. The accusation appears to be a strategic move to gain an unfair advantage in the divorce proceedings.

Furthermore, Morgan's actions in filing a protective order, followed by the initiation of an eviction process, appear to be coordinated attempts to remove me from our family home. Notably, the eviction notice cited the protective order as a reason, even though the protective order had not been filed at the time of the eviction notice. This sequence of events points towards a premeditated strategy to unfairly influence the custody and property aspects of our divorce.

Given these concerning developments, it is imperative that this counter petition replace the original. This counter-petition is not just a necessary step to address the false allegations and

contradicting statements made by Morgan, but also a crucial measure to ensure a fair and equitable trial, and to correct the inaccuracies made by Morgan on the original petition. It is essential to have the appropriate amount of time and a factual basis for the proceedings to ensure that any decisions made, particularly those affecting our children's future and well-being, are based on truth and justice, rather than unfounded allegations. This approach will also facilitate a smoother and more amicable transition for all parties involved, especially for our children, who are of utmost importance in this process.

II. EVIDENCE TO BE PRESENTED

1. Text Message Evidence:

I will present text interactions between myself and the Plaintiff that show my attempts to work towards a resolution and her avoidance of communication and accountability.

2. Data Analysis and Phone/Text Logs:

I have prepared charts and graphs created from our joint account's text and phone call logs. These will illustrate the extreme levels of interaction the Plaintiff had with Debbie and Damen, highlighting her priorities outside of our marriage. This priority in her friends has remained consistent - even throughout the divorce proceedings.

3. No History of Family Violence:

I will present my criminal record from the Texas Department of Public Safety, proving the absence of any history of family violence.

4. Bank Statements and Financial Transactions:

Evidence of bank transactions will demonstrate financial maneuverings by the Plaintiff, advised by Dan Branthoover, affecting our joint account.

5. Eviction Notice and Protective Order Claims:

I have the eviction notice served to me, which was later voided, and evidence related to the protective order, demonstrating the misuse of legal processes to influence our divorce and custody proceedings.

III. CHILDREN'S WELFARE AND FAMILY STABILITY

The children's welfare remains my primary concern. The Plaintiff's actions, influenced by third parties and her unfounded claims, threaten our children's stability and well-being. I advocate for maintaining the standard 60-day waiting period for the divorce to provide our children with a stable and gradual transition.

Since the divorce announcement, I have remained an active role in my children's lives, finding activities for us to do together due to their time off from school. Despite all inclusion efforts – Morgan has declined to join us on these activities – something the children don't understand and have taken notice to. Morgan, on the other hand, has been extremely short with the children, impatient, and has kept her priorities in line with her friends.

IV. PROPOSAL FOR INTERIM CUSTODY ARRANGEMENT

Considering the current complexities surrounding our divorce proceedings, and with the paramount goal of ensuring the best interests and minimal disruption to our children's lives, I propose the following interim custody arrangement:

1. Full Custody Arrangement

I propose to take on full custody of our children, M[REDACTED] and C[REDACTED]. This decision is motivated by the need to provide them with a stable and consistent environment, especially during this transitional phase of our family's life. My commitment to their day-to-day needs, emotional well-being, and continued growth has been and will remain unwavering.

2. Co-Habitation in Current Family Home:

Recognizing the importance of maintaining a sense of normalcy for our children, I suggest that we continue to cohabit in our current family home. This arrangement will prevent any immediate upheaval in the children's living environment, allowing them to retain their sense of security and familiarity amidst the ongoing changes, and will afford Morgan the opportunity to find full-time stable employment, and allow me to continue making rent payments to her grandmother, our landlord. This is in the best interest of all parties involved.

3. Transition to a New Home

I am planning to move out of my current family home with the children, but only when a suitable and equally accommodating residence is secured. The aim is to ensure this new home is near our

current location, thus allowing the children to remain in their current school and maintain their usual routines and social connections.

4. Active Roles for Both Parents

It is imperative that both Morgan and I continue to play active roles in our children's lives. The proposed arrangement is designed to facilitate this by ensuring that the children have regular and consistent access to both parents. This continued parental presence will be crucial in minimizing the emotional and psychological impact of our separation on M■■ and C■■■■.

Mitigating Potential Damage: The current petition, as it stands, poses a significant risk of causing disruption and potential harm to our children's well-being.

by abruptly altering their living situation and limiting their access to one parent. My proposal aims to mitigate this damage by providing a more balanced and thoughtful approach to the transition, one that prioritizes the emotional and psychological health of our children above all else.

Flexibility and Cooperation: This proposal is made with a spirit of flexibility and cooperation, understanding that the situation may evolve as we navigate this process. I am open to discussions and modifications to this plan, if they serve the best interests of M■■ and C■■■■.

Professional Support if Needed: To aid in this transition and to ensure that the emotional needs of our children are being met, I also propose that we engage the services of a child psychologist or a family counselor. This professional can provide support to M■■ and C■■■■, helping them to understand and adapt to the changes in their family dynamics.

Regular Review and Adjustment of the Arrangement: I propose that this interim custody arrangement be subject to regular review, with the possibility of adjustments based on the evolving needs of our children and our family situation. This will ensure that the arrangement remains relevant and beneficial for M■■ and C■■■■.

V. PRAYER

WHEREFORE, premises considered, I respectfully request that the Court consider this Counter-Petition for Divorce with due diligence. My earnest prayer is for a fair and just resolution that corrects the inaccuracies in the original petition and uncovers the true nature of the events leading to the divorce announcement. It is vital that these matters are resolved amicably, prioritizing the best interests of our children, M■■, and C■■■■. I seek a fair outcome that recognizes the complexities of our situation and promotes a stable, nurturing environment for our family moving forward.

Respectfully submitted,

CHARLES DUSTIN MYERS

