

DKT (33)

***** FROM 322-744538-23 *** ORDER SETTING HEARING
1/16/24 @ 9:00 AM**

FILED ON: 12/28/2023

FEE: \$0.00

FILER/REQUESTOR: N/A

Cause No.: 322 744538 23Applicant: MORGAN MICHELLE MYERS \$ In the DISTRICT Court

v.

FILED
TARRANT COUNTY
12/28/2023 9:56 AM
THOMAS A. WILDER
DISTRICT CLERK

Respondent: CHARLES DUSTIN MYERS \$ TARRANT County, Texas

*Order setting/Noon for
Temporary Ex Parte Protective Order*

Go to the court hearing on: Date: Open 15,2024 Time: 9:00 a.m. p.m.Court Address: 4th Floor, 322nd Assoc. Ct., 200 E. Weatherford Street Fort Worth, TX

Findings: The Court finds from the sworn Affidavit or Declaration attached to the Application for Protective Order filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children, and/or Other Adults named below immediate and irreparable injury, loss, and damage, for which there is no adequate remedy at law. The Court, therefore, enters this Temporary Ex Parte Protective Order without further notice to the Respondent or hearing. No bond is required.

1 **Respondent:** The person named below is ordered to follow all Orders marked with a check.Name: CHARLES DUSTIN MYERS County of Residence: TARRANT2 **Protected People:** The following people are protected by the terms of this PROTECTIVE ORDER:

Name: _____ County of Residence: _____

 Applicant: MORGAN MICHELLE MYERSTARRANT Children: N [REDACTED] F [REDACTED] M [REDACTED]TARRANTG [REDACTED] P [REDACTED] M [REDACTED]TARRANT Other _____

Adults: _____

3 **Temporary Orders** — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check. **The Respondent (person named in 1) must:**

- a. Not commit an act against any person named in 2 above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b. Not communicate in a threatening or harassing manner with any person named in 2 above.
- c. Not communicate a threat through any person to any person named in 2 above.



- d. Not communicate or attempt to communicate in any manner with: (Check all that apply)
 Applicant Children Other Adults named in 2 above. The Respondent may communicate through:
or other person the Court appoints.
- Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the (Check all that apply):
 Applicant Children Other Adults named in 2 above. (except to go to court hearings)
- f. Not go within 200 yards of the Residence, workplace, or school of the: (Check all that apply)
 Applicant Other Adults named in 2 above.
- The addresses of the prohibited locations are: (Check all that apply)
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
- Disclosed as follows:
Applicant's Residence: _____
Applicant's Workplace/School: _____
Other: _____
- g. Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h. Not go within 200 yards of the Children's Residence, child-care facility, or school.
The addresses of the prohibited locations are: (Check all that apply)
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
Children's Residence: _____
Children's Child-care/School: _____
Other: _____
- i. Not stalk, follow, or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in 2 above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them, including tracking or monitoring a car or other property.
- j. Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k. Not remove the Children from the jurisdiction of the Court.
- l. Not take, harm, or interfere with the care, custody, or control of the following pet, companion animal, or assistance animal: _____ (describe the animal).
- m. Not interfere with the Applicant's use of the Residence located at: _____, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- n. Not interfere with the Applicant's use and possession of the following property:
2023 MAZDA CX-5 PLATE # SLV5281
- o. Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).



4 Order: Vacate Residence Immediately

The Court finds that the Residence located at [REDACTED] (Check one):

- is jointly owned or leased by the Applicant and Respondent;
- is solely owned or leased by the Applicant; or
- is solely owned by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before: _____ a.m. p.m. on: _____ (date) and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

(B)

IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant's necessary personal property.

5 Confidentiality of Information

The Court Clerk is ordered to strike contact information for Protected People, including: addresses, mailing addresses, county of residence, telephone numbers, places of employment, businesses, child-care facilities, and schools from the public records of the Court, and maintain a confidential record of this information. The Clerk of the Court is prohibited from releasing contact information of Protected People except to the Court or to law enforcement for the purpose of entering the information into the Department of Public Safety law enforcement information system. **It is ordered that all contact information for the Protected People is confidential.**

It is ordered that the following person is designated as a person to receive any notice or documents filed with the Court related to the application on behalf of the Applicant:

Name: MARGIE WILSON

Address: [REDACTED]

It is ordered that the following person is designated as a person to receive any notice or documents filed with the Court.

6 Go to the Court Hearing

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

7 Duration of Order: This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.



8 **Warning:** A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

If a person subject to a protective order is released from confinement or imprisonment following the date the order would have expired, or if the order would have expired not later than the first anniversary of the date the person is released from confinement or imprisonment, the order is automatically extended to expire on: (1) the first anniversary of the date the person is released, if the person was sentenced to confinement or imprisonment for a term of more than five years; or (2) the second anniversary of the date the person is released if the person was sentenced to confinement or imprisonment for a term of five years or less.

A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.

This Ex Parte Order signed on (date): 12/21/2023 Time: 3:22 pm 2:40 a.m. p.m.
 Judge Presiding: Judge Saenz

This is a Court Order. No one – except the Court – can change this Order.

