

DKT (36)

*** FROM 322-744538-23 *** (ATT) EXHIBIT A

FILED ON: 01/02/2024

FEE: \$0.00

FILER/REQUESTOR: CHARLES DUSTIN MYERS

322-744538-23

EXHIBIT A

FALSE AND CONTRADICTORY
STATEMENTS
IN PLAINTIFF'S PLEADINGS

322-744538-23

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- 4b Presumption of Family Violence:** Has the Respondent ever been convicted of or placed on deferred adjudication community supervision for any crime under Title 5 or Title 6 of the Texas Penal Code? (see list of crimes at the end of the kit)
- Yes No
If "Yes," say what kind of case:

If the Respondent was convicted or placed on community supervision for a Title 5 crime, did the Court make a finding that the crime involved family violence?

Yes No

Was the crime against a child listed in this petition under Number 2 "Children"?

Yes No

Have the Respondent's parental rights to this child been terminated?

Yes No

Is the Respondent seeking or attempting to seek contact with this child?

Yes No

- 5 Grounds:** Why is the Applicant asking for this Protective Order? Check one or both:

- The Respondent committed family violence.
 The Respondent violated a prior Protective Order that expired, or will expire in 30 days or less. A copy of the Order is (check one): Attached, or Not available now but will be filed before the hearing on this Application

The Applicant requests a PROTECTIVE ORDER and asks the Court to make all Orders marked with a check ✓

- 6 ✓ Orders to Prevent Family Violence**

The Applicant asks the Court to order the Respondent to (Check all that apply):

- a. Not commit family violence against any person named on page 1 of this form.
- b. Not communicate in a threatening or harassing manner with any person named on page 1 of this form.
- c. Not communicate a threat through any person to any person named on page 1 of this form.
- d. Not communicate or attempt to communicate in any manner with (Check all that apply):
 Applicant Children Other Adults named on page 1 of this form.
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 on page 1 of this form.
- f. Not go within 200 yards of the residence, workplace, or school of the (Check all that apply):
 Applicant Other Adults named on page 1 of this form.
- g. Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.
- h. Not stalk, follow, or engage in conduct directed specifically to anyone named on page 1 of this form that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them, including tracking or monitoring a car or other property.

The Applicant asks the Court to:

- i. Suspend any license to carry a handgun issued to the Respondent by the State of Texas.
- j. Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor; and pay all costs for the counseling or treatment ordered.
- k. Prohibit the Respondent from taking, harming, threatening, or interfering with the care, custody, or control of the following pet, companion animal, or assistance animal: _____ (describe the animal).
- l. Require the Respondent to follow these provisions to prevent or reduce the likelihood of family violence:

The law requires a trial court issuing a protective order to prohibit the Respondent from possessing 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.

6F. Possession of and Access to the Child(ren) (Visitation)

I ask the court to make possession and access (visitation) orders as follows: (Check a, b, c, or d.)

- a. Father should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)
- b. Mother should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)
- c. "Standard visitation" would be unworkable or inappropriate. Possession and access to the child(ren) should be as follows:

- d. I am concerned about the safety of the children with the other parent. I ask that:

(If you checked d, check all that apply below.)

- d-1. exchanges of the child(ren) be supervised, or in the alternative, be in a public place.
- d-2. the other parent's possession of the child(ren) be limited to day visits.
- d-3. the other parent's possession of the child(ren) be supervised.
- d-4. the other parent have no right to possession or access to the child(ren).
- d-5. the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the child(ren).
- d-6. the other parent's possession and access to the children be restricted as follows:

(Check only if you are asking that a different possession order be in place while a child is under 3 years old.)

- One or more of the children is under 3. Until the child turns 3, possession should be as follows:

After the child turns 3, possession should be as checked above.

(Check only if applicable.)

- I am concerned that the other parent may take the child(ren) to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child(ren).

6G. Child Support, Medical Support, and Dental Support for the Child(ren)

I ask the court to make appropriate orders for the financial support of the child(ren), including regular child support, medical support, dental support and, if supported by the evidence, retroactive child support.

9. Protective Order Statement (Check the appropriate boxes. Fill in the requested information.)

9A. No Protective Order

- I do not have a protective order against my spouse and I have not asked for one.
- My spouse does not have a protective order against me and has not asked for one.

9B. Pending Protective Order

- I have filed paperwork at the courthouse asking for a protective order against my spouse, but a judge has not decided if I should get it. I asked for a protective order on 12/14/2023 _____ Date Filed _____

In Tarrant County, Texas. The cause number is _____ Cause Number _____

If I get a protective order, I will file a copy of it before any hearings in this divorce.

- My spouse has filed paperwork asking for a protective order against me, but a judge has not decided if my spouse will get it. My spouse asked for a protective order on _____ Date Filed _____

in _____ County, _____ State _____ Cause Number _____

If my spouse gets a protective order, I will file a copy of it before any hearings in this divorce.

9C. Protective Order in Place

- I do have a protective order against my spouse. I got the protective order in _____ County, _____ on _____ Date Ordered _____

The cause number for the protective order is _____ Cause Number _____

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

- My spouse does have a protective order against me. The protective order was made in _____ County, _____ on _____ Date Ordered _____

The cause number for the protective order is _____ Cause Number _____

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

10. Waiver of Waiting Period Based on Family Violence (Check only if applicable.)

- I ask the Court to waive the 60-day waiting period for divorce because: (Check one box)
 - My spouse has been convicted of or received deferred adjudication for a crime involving family violence against me or a member of my household.
 - I have an active protective order or an active magistrate's order for emergency protection against my spouse because of family violence during our marriage. The order includes a finding that my spouse committed family violence.