



**RESP OBJECTION TO MOTION FOR PRETRIAL
CONFERENCE**

FILED ON: 04/24/2024

FEE: \$0.00

FILER/REQUESTOR: CHARLES DUSTIN MYERS

322-744263-23

FILED
TARRANT COUNTY
4/24/2024 5:13 PM
THOMAS A. WILDER
DISTRICT CLERK

IN THE 322nd DISTRICT COURT
OF TARRANT COUNTY
FORT WORTH, TEXAS

No. 322-744263-23 (consolidated)¹

Morgan Michelle Myers,

Petitioner,

v.

**OBJECTION TO MOTION FOR PRE-TRIAL
CONFERENCE**

Charles Dustin Myers,

Respondent

April 24th, 2024

To the Honorable 322nd District Court of Tarrant County, Texas:

On March 24th, 2024, opposing counsel moved for a motion for pre-trial conference.²

Opposing counsel also requested dates and times available from the court via e-mail correspondence.³

¹ 322-744538-23 - Protective Order filed December 22nd, 2023 | Consolidated with cause# 322-744263-23 on January 16th, 2024.

² See EXHIBIT 1

³ See EXHIBIT 2

The respondent respectfully objects to the motion for the forthcoming reasons:

I. ARGUMENT

A. Pending Mandamus in the Second Court of Appeals.⁴

On April 8th, 2024, Relator filed with the Second Court of Appeals a Petition for Writ of Mandamus, which was denied with a general denial on April 10th, 2024.

The Second Court of Appeals is currently deliberating on a Motion for Rehearing concerning a Petition for Writ of Mandamus filed by the Respondent on April 18th, 2024, that corrected procedural defects in the initial petition.

The appellate court's forthcoming decision could significantly alter the legal landscape of the underlying issues in this case. Proceeding with a pre-trial hearing while the appeal is unresolved may result in redundant judicial efforts and conflicting judicial directives.

B. Failure to Conduct Pre-Motion Conference.

Pursuant to *Local Court Rules of Tarrant County*, no court proceeding may be set by any attorney or self-represented litigant who fails to comply with *Id at*

⁴ 02-24-00149-CV

4.10(b). Given that no such conference was held, the motion may not be set for hearing.

Respondent seeks no sanctions at this time and chooses not to invoke *Id* at 4.10(e).

II. CONCLUSION

For the reasons above, Respondent asks the court to dispose of the motion for pre-trial conference, as required by the local rules of the Court.

Respectfully submitted,

Charles Dustin Myers
Respondent

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CERTIFICATE OF SERVICE

I certify that a true copy of this Objection to Motion for Pre-Trial Conference was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on **04-24-2024**:

Cooper L. Carter by EMAIL/ESERVE at COOPERCARTER@MAJADMIN@COM

/s/ Charles Dustin Myers
Charles Dustin Myers
[REDACTED]
[REDACTED]
Chuckdustin12@gmail.com
Tel.: 817-507-6562

**Cooper Carter**

to Lindsey, me ▾

11:20 AM (5 hours ago)



Good Morning,

Our office filed a Motion for Pretrial Conference in the above referenced matter. Could you please list a few days that the Court is available for a pretrial conference?

Opposing party is co-ed for convenience.

Thanks!

Cooper L. Carter
Attorney at Law

Automated Certificate of eService

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Status as of 4/25/2024 9:04 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	4/24/2024 5:13:59 PM	SENT
Cooper L.Carter		cooper.carter@majadmin.com	4/24/2024 5:13:59 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	4/24/2024 5:13:59 PM	SENT