

DKT (38)



***** FROM 322-744538-23 *** (ATTACHMENT)
DOCUMENTATION FOR CONTINUANCE**

FILED ON: 01/08/2024

FEE: \$0.00

FILER/REQUESTOR: CHARLES DUSTIN MYERS

322-744538-23

Charles Dustin Myers

[REDACTED]

Chuckdustin12@gmail.com

2024-01-06

IN THE DISTRICT COURT OF TARRANT COUNTY, TEXAS
BEFORE THE 322ND COURT

Morgan Michelle Myers, Plaintiff,

vs.

Charles Dustin Myers, Defendant.

CAUSE NO. 322-744538-23

MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Charles Dustin Myers, Defendant in the above-entitled and numbered cause, respectfully requests that the Court grant a continuance in the protective order case, and as grounds therefore would show the following:

1. Family Priorities During Holidays: The recent holiday season and the children's break from school have been my priority. Ensuring their stability and spending quality time with them has been of utmost importance, impacting my ability to prepare adequately for this case.
2. Motion for Consolidation: I have recently filed a motion for consolidation to combine this case with two others due to their intertwined nature. This motion has been accepted by the court but not yet ruled upon by the judge. A decision on this matter could significantly impact the proceedings of this case. The relevant cases that are intertwined are cause numbers: 322-744263-23 (DIVORCE) and JP01-23-E00102017 (EVICTON).



A CERTIFIED COPY
ATTEST: 04/15/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

3. **Unfounded Claims in Eviction Suit and Protective Order:** Both the eviction suit and the protective order claims are unfounded. The eviction suit lists the violation of the lease as "granddaughter divorced" and prematurely references the protective order as a secondary reason for eviction grounds. Additional time is needed to address these premature and baseless claims. There is no immediate danger to the Plaintiff, or the children – and has never been any incident of family violence that has occurred within our home. Attached is a copy of my criminal history obtained by the Texas Department of Public Safety that highlights my clean record.
4. **Time to appropriately answer the divorce:** The parent case in the request to consolidate is the divorce, which I have yet to answer due to the concurrent proceedings (eviction suit and protective order) which were both filed due to the claims that I possess a history of family violence, waiving the 60-day period for service and making the timeframe unreasonable – especially considering the lack of communications from the Plaintiffs – to formulate a plan that best suits our children's interests.
5. **Lack of Cooperation in Providing Lease Agreement:** Despite requests, the Plaintiff has not provided a copy of the lease agreement necessary for my defense. More time is needed to acquire these critical documents, especially given the unlawful nature of the eviction.
6. **Potential for Amicable Resolution:** Given more time to prepare and the pending decision on the consolidation of cases, there is a potential for a more amicable resolution to be reached. The intertwined nature of the cases suggests that a holistic approach to resolution may be more appropriate and beneficial for all parties involved.

Considering the above reasons, continuity is necessary to ensure a fair and just resolution of this matter. I assure the Court that this request is not for the purpose of delay, but to allow for adequate preparation and the pursuit of justice.

WHEREFORE PREMISES CONSIDERED, I, Charles Dustin Myers, respectfully request that the Court grant a continuance for the protective order case.

Respectfully submitted,


Charles Dustin Myers



CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion for Continuance was served on Morgan Michelle Myers, Plaintiff, at morganmw02@gmail.com on 2024-01-06.


Charles Dustin Myers



A CERTIFIED COPY
ATTEST: 04/15/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz