



322-744263-23

**MOTION TO STRIKE THE INTERVENTION OF THE
OFFICE OF THE ATTORNEY GENERAL**

05.22.25

322-744263-23

FILED
TARRANT COUNTY
5/22/2025 1:24 PM
THOMAS A. WILDER
DISTRICT CLERK

NO. 322-744263-23

IN THE 322nd DISTRICT COURT OF TARRANT COUNTY, TEXAS

IN THE INTEREST OF *M.E.M., C.R.M., two
children*)

MORGAN MICHELLE MYERS

Petitioner,

CHARLES DUSTIN MYERS,

Respondent.

MOTION TO STRIKE THE INTERVENTION
OF THE OFFICE OF THE ATTORNEY
GENERAL

2025-05-22

TO THE HONORABLE COURT:

The Respondent in the above styled cause, CHARLES DUSTIN MYERS, (“the Respondent”) respectfully moves to STRIKE the involvement of the Office of the Attorney General, specifically the designated attorney of record, Holly L. Hayes, from the matter. This request is supported by the forthcoming reasons:

I. INTRODUCTION

The Office of the Attorney General (“the OAG”) filed an intervention pleading on June 28, 2024, designating “Holly Hayes” as the attorney of record. [\[1\]](#)

¹ [\[1\]](#) indicates an active link to a true and correct copy of the referenced document as maintained on the official *re:SearchTX* Electronic Filing Manager. Login may be required.

As clarified in *Guaranty Federal Sav. Bank v. Horseshoe Operating Co.*, 793 S.W.2d 652 (Tex. 1990), "the party who opposed the intervention has the burden to challenge it by a motion to strike." Here, the Respondent is challenging the OAG's involvement in this matter and requests clarification on their role in the litigation. By following clearly established Texas prescedent and utilizing the

II. LEGAL ANALYSIS

The right to intervene in Texas is governed primarily by Rule 60 of the Texas Rules of Civil Procedure. This rule provides that: "Any party may intervene by filing a pleading, subject to being stricken out by the court for sufficient cause on the motion of any party." *In re R.M.*, No. 05-18-01127-CV (Tex. App. May 24, 2019); *Smith v. City of Garland*, 523 S.W.3d 234 (Tex. App. 2017); *R. Hassell & Co. v. Springwoods Realty Co.*, NO. 01-17-00154-CV (Tex. App. Apr 19, 2018).

This rule establishes that while intervention is permitted as a matter of right, it is not absolute and remains subject to judicial oversight. The Texas Supreme Court has clarified that Rule 60 "authorizes a party with a justiciable interest in a pending suit to intervene in the suit as a matter of right." *In re Union Carbide Corp.*, 273 S.W.3d 152, 154 (Tex. 2008). However, this right is balanced against the court's obligation to ensure the efficient administration of justice.

A. The Justiciable Interest Requirement

For an intervention to be sustained, the intervenor must demonstrate a "justiciable interest" in the pending suit. This requirement serves as a threshold that must be met before a court will allow an outside party to join ongoing litigation. According to Texas courts, an intervenor has a justiciable interest in a lawsuit "when his interests will be affected by the litigation." *Brown v. Freed*, 03-21-00556-CV (Tex. App. May 10, 2023). This interest may be

"legal or equitable in nature." *Brown v. Freed* (Tex. App. Aug. 1, 2023) (citing *Mendez v. Brewer*, 626 S.W.2d 498, 499 (Tex. 1982)).

B. Procedure for Challenging an Intervention

An important procedural aspect of Rule 60 is that an intervenor is not required to secure the court's permission before intervening. Rather, "the party who opposed the intervention has the burden to challenge it by a motion to strike." *Guaranty Federal Sav. Bank v. Horseshoe Operating Co.*, 793 S.W.2d 652 (Tex. 1990); *Musick v. Zamora*, 03-21-00555-CV (Tex. App. Apr 27, 2023) (citing *Guaranty Fed.*, 793 S.W.2d at 657).

Once a motion to strike is filed, "the burden shifts to the intervenor to show a justiciable interest in the lawsuit." *R. Hassell & Co. v. Springwoods Realty Co.*, NO. 01-17-00154-CV (Tex. App. Apr 19, 2018) (citing *Union Carbide*, 273 S.W.3d at 155); *In re R.M.*, No. 05-18-01127-CV (Tex. App. May 24, 2019) (citing *In re Union Carbide Corp.*, 273 S.W.3d 152, 155 (Tex. 2008)).

C. Burden on the OAG

Because a motion to strike has now been filed in this case, the burden would shift to the OAG to demonstrate a justiciable interest in the litigation sufficient to overcome concerns about delay or prejudice. As established in *In re R.M.*, No. 05-18-01127-CV (Tex. App. May 24, 2019) and *R. Hassell & Co. v. Springwoods Realty Co.*, NO. 01-17-00154-CV (Tex. App. Apr 19, 2018), "the intervenor bears the burden to demonstrate a justiciable interest in the pending suit."

Here, the OAG would need to articulate how its interests will be affected by the litigation and why its continued involvement is necessary despite its lack of action. If the OAG cannot demonstrate a sufficient justiciable interest, or if the court determines that any such interest is outweighed by the delay or prejudice being caused, the court would have grounds to strike the intervention.

III. APPLICATION

The three-pronged test established in *Guaranty Federal Savings Bank v. Horseshoe Operating Co.*, 793 S.W.2d 652, 657 (Tex. 1990) provides a framework for this analysis. An intervenor must show that (1) it could have brought the same action, or any part thereof, in its own name, or if the action had been brought against it, it would be able to defeat recovery; (2) the intervention will not complicate the case by an excessive multiplication of the issues; and (3) the intervention is almost essential to effectively protect the intervenor's interest.

This framework should be applied within the instant matter in the court's determination of whether to strike the intervention of the Office of the Attorney General. In the pleading itself, attached as Exhibit A, the OAG is ambiguous regarding its' claims. The uncertainty surrounding the "prior proceedings" referenced, the request for the court to "enter appropriate orders", and the mismatched signature line all point to the OAG not having a legitimate interest in the matter. When coupled with their lack of activity or participation in the case, a response should be requested to clarify their involvement.

In the interest of judicial economy, the Respondent objects to any settings on this matter until the Office of the Attorney General furnishes a written response.

CONCLUSION AND PRAYER

For all the reasons stated herein, the Respondent, CHARLES DUSTIN MYERS, respectfully requests that this Honorable Court:

1. Request a response from Holly Hayes, and request that she demonstrate a justiciable interest in this matter and clarify the undue delay lack of participation in the proceedings;

2. If a justiciable interest cannot be demonstrated or if a response is not filed by a future date deemed appropriate by the Court, order that the intervention pleading from the Office of the Attorney General naming Holly Hayes as counsel be stricken from the record;
3. Grant any other relief that the Court deems just and proper under the circumstances.

Respectfully submitted,

/s/ Charles Dustin Myers
CHARLES DUSTIN MYERS
817-546-3693
CHUCKDUSTIN12@GMAIL.COM

CERTIFICATE OF SERVICE

Pursuant to Rules 21a of the Teaxs Rules of Civil Procedure, a true and accurate copy of this MOTION TO STRIKE THE INTERVENTION OF THE OFFICE OF THE ATTORNEY GENERAL has been filed and served upon all parties of record via the EFM approved by the Texas Supreme Court.

CERTIFICATE OF CONFERENCE

A certificate of conference was *not held* because the opposing party remains silent on all issues and has not responded to any email correspondence throughout the litigation.

A

322-744263-23

FILED
TARRANT COUNTY
6/28/2024 12:35 PM
THOMAS A. WILDER
DISTRICT CLERK

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATANCP Name: *CHARLES D MYERS*CP Name: *MORGAN MYERS*OAG Number: **0014563904**LAC: **INTE****CAUSE NUMBER 322-744263-23**

IN THE INTEREST OF

*MARA MYERS**CAROLINE MYERS*

CHILDREN

§ IN THE 322ND DISTRICT COURT

§

§

OF

§ TARRANT COUNTY, TEXAS

INTERVENTION

1. The OFFICE OF THE ATTORNEY GENERAL, representing the State of Texas, files this pleading pursuant to Texas Family Code Chapter 231 for which discovery is intended to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure. The OFFICE OF THE ATTORNEY GENERAL is assigned the support and enforcement rights in this case.

THE ATTORNEY GENERAL'S RIGHT TO INTERVENE

2. The OFFICE OF THE ATTORNEY GENERAL, pursuant to Texas Family Code §§ 102.007 and 102.009 (d), is a necessary party because this is an action to establish, modify, or enforce a support right assigned to the OFFICE OF THE ATTORNEY GENERAL pursuant to Texas Family Code Chapter 231.

JURISDICTION

3. This Court has continuing jurisdiction of the children the subject of this suit because of prior proceedings.

CHILDREN

4. The following children are the subject of this suit:

Name

Sex

DOB

M [REDACTED] M [REDACTED]
C [REDACTED] M [REDACTED]

F
F

[REDACTED]

No property, other than personal effects, is owned by any child the subject of this suit.

PERSONS ENTITLED TO NOTICE

5. The children reside with *MORGAN MYERS*, the *mother* of the children. The OFFICE OF THE ATTORNEY GENERAL will serve *MORGAN MYERS* with this pleading, by and through her attorney of record, pursuant to Rule 21a, Texas Rules of Civil Procedure.

6. *CHARLES D MYERS*, is the *father* of the children. The OFFICE OF THE ATTORNEY GENERAL will serve *CHARLES D MYERS* with this pleading pursuant to Rule 21a, Texas Rules of Civil Procedure.

DETERMINATION OF DISCLOSURE OF ADDRESS

7. The Court should enter appropriate orders concerning the disclosure of the addresses of the parties.

PRIOR CHILD SUPPORT ORDER

8. On 3/14/2024 the Court ordered *CHARLES D MYERS* to pay current child support of \$973.19 *monthly*, beginning 4/1/2024, and *monthly* thereafter. The amount and frequency of *CHARLES D MYERS*'s child support obligation remains unchanged.

CHILD SUPPORT ARREARAGE

9. *CHARLES D MYERS* failed to pay court ordered child support as follows:

a. Child support accrued since 4/1/2024	\$2,919.57
b. Interest accrued since 4/1/2024	\$0.00
c. Child support paid since 4/1/2024	\$0.00
d. Total child support arrearage as of 6/18/2024	\$2,919.57

EXHIBIT A, which is attached and incorporated by reference, is a true and correct copy of a payment record indicating the occasions Obligor violated the above-referenced order.

JUDGMENT ON ARREARS

10. The Court should confirm and enter judgment for all support arrearage and accrued interest as of the court proceeding date. The Court should order payment and income withholding to liquidate the judgment pursuant to Texas Family Code Chapters 157 and 158.

SUPPORT

11. The OFFICE OF THE ATTORNEY GENERAL, representing only the interests of the State of Texas, requests the Court make appropriate orders for current child support, medical support, and dental support for the children, including temporary support pursuant to Texas Family Code § 105.001. In determining the amount of support the Court should consider the duty of parents to support their minor children, and all applicable provisions of the Texas Family Code.

WITHHOLDING FROM EARNINGS FOR SUPPORT

12. The Court should order all support withheld from disposable earnings pursuant to Texas Family Code § 158.006. The Court should order all payments of support processed pursuant to Texas Family Code Chapter 231 for distribution according to law. If appropriate, the Court should order *CHARLES D MYERS* to post a bond or security.

REQUEST FOR PRODUCTION OF DOCUMENTS

13. *CHARLES D MYERS* has in his possession documents that will show the nature and extent of his ability to pay child support. The OFFICE OF THE ATTORNEY GENERAL, pursuant to Rule 196, Texas Rules of Civil Procedure, requests him to produce and permit the OFFICE OF THE ATTORNEY GENERAL to inspect and copy the originals, or true copies, of the following documents in his possession, custody or control: (a) his IRS federal tax returns for the past two years with all schedules included with the returns and all W-2s and 1099s attached to such returns, (b) any and all W-2 statements, all 1099s, and all documents showing income received by Respondent from any source for the two tax years preceding the date of filing of this action, (c) all payroll stubs, vouchers, records of commissions and all other written

records or evidence of income received by him within the last six months, (d) the most recent Social Security Administration Form SSA-7005, showing his income history, sent to him three months before his last birthday, (e) statements of accounts for all checking or saving accounts in which he has held an interest within the last six months, (f) all evidence (policies, premium schedules, records of premiums paid, etc.) of health and/or dental insurance available at his place of employment that may provide coverage for dependent children, (g) copies of loan applications made within the last six months, (h) current statement of benefits and account balances for all retirement, pension, or profit-sharing plans in which the respondent has accrued or may accrue benefits, regardless if such benefits have vested, including but not limited to employer- or union-sponsored defined benefit or defined contribution plans and individual retirement accounts (IRAs), and (i) summary plan description of all retirement, pension, or profit-sharing plans in which the respondent has accrued or may accrue benefits, regardless if such benefits have vested. The OFFICE OF THE ATTORNEY GENERAL requests production of the specified documents at:

The Office of the Attorney General
CHILD SUPPORT OFFICE
2001 BEACH ST STE 700
FT WORTH, TX 76103-2300

on or before 3:00 p.m. on the 30th day following the date of service of this request.


PRAYER

The OFFICE OF THE ATTORNEY GENERAL prays that the Court grant all relief requested herein. The OFFICE OF THE ATTORNEY GENERAL prays for general relief.

Respectfully submitted,

Ken Paxton
Attorney General of Texas

Brent Webster
First Assistant Attorney General



TAMEKA D BOYD - SBN: 24027406
CHOYA BURKLEY - SBN: 24012361
KARLA BYRD - SBN: 24097445
STEPHEN E HAMMEL - SBN: 24043710
MADISON LEDOUX - SBN: 24131449
PAULA CROCKETT - SBN: 00798123
JOHN CASHMAN - SBN: 24038807
HOLLY L HAYES - SBN : 24110698
ATTORNEY OF RECORD
CHILD SUPPORT ENFORCEMENT
CHILD SUPPORT OFFICE
2001 BEACH ST STE 700
FT WORTH TX 76103-2300
Email CSD-legal-914@oag.texas.gov
Telephone No. (817)926-7197
Toll Free 1(800)252-8014
Fax No. (817)926-0522

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on the below listed parties or their representatives pursuant to Rule 21a, Texas Rules of Civil Procedure, on the 28th day of June, 2024.



CHOYA BURKLEY
ATTORNEY OF RECORD

Party:

MORGAN MYERS

Attorney for Party:

COOPER L CARTER
2905 LACKLAND RD.
FORT WORTH, TX 76116
COOPERCARTER@MAJADMIN.COM

CHARLES D MYERS

			Child Support		
Trans Date	Activity Type	Transaction Amount	Amount Due	Amount Applied	Balance
04/01/2024	Amount Due	973.19	973.19		973.19
05/01/2024	Amount Due	973.19	973.19		1,946.38
06/01/2024	Amount Due	973.19	973.19		2,919.57
Totals:			2,919.57	0.00	2,919.57

A

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Officer Filer 914 on behalf of Holly Hayes
Bar No. 24110698
csd-filer-914@texasattorneygeneral.gov
Envelope ID: 89311887
Filing Code Description: (Title IV-D OAG Use Only)Intervention
Filing Description: INTE
Status as of 6/28/2024 2:16 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Cooper L.Carter		coopercarter@majadmin.com	6/28/2024 12:35:54 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	6/28/2024 12:35:54 PM	SENT

B

FILED
TARRANT COUNTY
7/1/2024 12:00 AM
THOMAS A. WILDER
DISTRICT CLERK

NO. 322-744263-23
IN THE 322ND DISTRICT COURT OF TARRANT COUNTY,
TEXAS

Morgan Michelle Myers,

Petitioner,

v.

Charles Dustin Myers,

Respondent

OBJECTION TO TITLE-IV
INTERVENTION

2024-06-30

**TO THE HONORABLE JAMES MUNFORD OF THE 322nd
DISTRICT COURT OF TARRANT COUNTY:**

- In this document, "the Couple" refers collectively to the Petitioner and Respondent.

The Respondent respectfully objects to the Title-IV Agency intervention for the foregoing reasons:

I. BACKGROUND

1. In January of 2021, the decision to pursue a career from home came from a deep desire within the Respondent to provide a dual role for his Children – being that of a provider and a caregiver. Leading up to that point, the Couple had alternated roles in providing for their children: one parent worked to support the family

financially while the other assumed a full-time caretaker role. However, this decision ended up being in the best interest of the children.

2. The harmonious arrangement was greatly facilitated by the support of Margie and Jesse Wilson—next-door neighbors, landlords, and great-grandparents to the children involved in this case. The Wilsons provided a stable and affordable home at a discounted rental rate of \$800 per month, laying a foundation for a nurturing and stable environment for the children. With regular, daily access to both parents and the added benefit of their great grandparents living next door on a tranquil cul-de-sac in Watauga—the children benefitted from a uniquely supportive and loving environment, which created an ideal situation for the children's growth and well-being.

3. The new arrangement afforded the Petitioner a significant amount of time, which she allocated to becoming more involved with the PTA, eventually becoming President. The Respondent continued to pursue growth and expand his knowledge in the fields of market finance, programming, SEC law, and legal transcription via Crowd Surf and similar platforms while both parents remained daily figures in all facets of their day-to-day lives.

II. STATUTORY PROTECTIONS

4. The Texas Family Code references “the best interest of the child” 109 times throughout its’ 1,627 pages. The word “always” appears just once – within *Id* § 153.002.

5. The language provided by *Id* – being unambiguous on its’ face – shows a clear requirement by the State to meet its’ statutory requirement:

“[t]he best interest of the child shall always be the primary consideration of the court in determining the issues of conservatorship and possession of and access to the child. “ *Id.*

6. These statutory protections “...are [clearly] indicative of the wide discretion the Legislature has granted the courts to act when the best interest of the child would be served thereby.” *Lutheran Social Service, Inc. v. Meyers*, 460 S.W.2d 887 (Tex. 1970). Despite this wide discretion, this court has chosen not to use it.

7. Long ago, in *Holley V. Adams*, 544 S.W.2d 367 (Tex. 1976) the Supreme Court of Texas provided this State with a non-exhaustive list of factors that the court may use in determining the best interest of the Child. Despite these factors, the court has taken into consideration none of them.

8. In more recent jurisprudence, the United States Supreme Court in *Troxel v. Granville*, 530 U.S. 57 (2000), affirmed that under the Fourteenth Amendment, parents have a fundamental right to direct the care, custody, and control of their children.

9. When contested issues are at hand, the *Texas Family Code* affords litigants with a reporter of record to preserve the ability to make an effective appeal. *Id* §105.003. This statutory mandate was ignored.

10. When a Petitioner waives the 60-day waiting period for divorce claiming an active order of protection exists against the Respondent, the Petitioner is required to attach the order to the Petition prior to any hearing. *Id* § 6.405(b). Despite no such order existing, no hearing should have ever taken place.

III. STATE INTERVENTION

11. On January 16th, 2024, the State simply did what it cannot do, and failed to offer the State mandated protections afforded by *Id.*

12. The decision rendered on 01/16/2024 was a de facto temporary termination of parental rights prior to any evidentiary hearing taking place.

13. The subsequent order rendered on 01/22/2024 by Judge Kaitcer prolonged the initial orders.

14. On February 1st, 2024, a settlement agreement was drafted by the Respondent's own legal counsel, who advised the Respondent to sign the agreement, resulting in his immediate termination and challenge of the original agreement on reconsideration. A true and accurate copy of this agreement has been attached hereto as **Exhibit A.**

15. A hearing wasn't scheduled until March 14th, 2024, due to delays by our friends on the other side, who have filed no opposition to any claims for relief made by the Respondent or allegations asserted. In fact, this was the only hearing that took place in this case.

16. Despite invoking the statutory protections mentioned above at the hearing, the court rendered temporary orders which were permitted to be reduced to writing outside of their own procedural requirements ordered by the same judge by an attorney who had no initial desire to represent the Petitioner in the first place.

17. Despite the hearing being contested, and notwithstanding the statutory requirement for the court to provide a court reporter in such cases, this requirement was once again ignored. This omission rendered it impossible to properly raise an

objection to the deprivation, as the essential element needed to make the objection was not provided.

18. Given the State's initial failure to uphold its mandated requirements set forth in the Texas Family Code, any further State intervention would lead to and has led to the same failure giving the magnitude of the decision made at the onset.

19. This court has no facts regarding the decisions made affecting the parent-child relationship and therefore has not considered the best interest of the child.

IV. CONTINUOUS DEFECT

20. The last contact with the opposing counsel occurred on May 19th in response to a defective IWO regarding the relevance of the orders in question. A true and accurate copy of these emails has been attached hereto as **Exhibit B**.

A true and accurate copy of the defective IWO has been attached hereto as **Exhibit C**.

V. CONSENT

21. The consent from the Respondent is what this court relies on. Without it – there's no basis for any decision made. "Once the trial court renders an agreed judgment, a party may not withdraw his consent if the trial court was unaware of any objection at the time of rendition." *In re D.S.*, 76 S.W.3d 512 (Tex. App. 2002); *see First Heights Bank, FSB v. Marom*, 934 S.W.2d 843 (Tex.App.-Houston [14th Dist.] 1996, no writ). In this instance, at the time of rendition, Judge Jeffrey Kaitcer was well aware of consent not being present at the time of rendition, but rendered them anyway.

VI. PREMATURITY

22. The intervention request made by the Title-IV Agency is premature. The case is currently pending review in the Supreme Court of Texas, and the Agency has no facts pertaining to this case as outlined in the language of their pleading.

23. Rather than intervening on an erroneous and fraudulently rendered temporary order prior to any factual understanding of the case - the agency should consider filing an amicus brief in support of the Respondent with the Supreme Court of Texas given the destruction caused by the State thus far – or request findings of fact and conclusions of law from the trial court. The State's mandate to enforce and establish child support should come only second to and after affirmation that the current custodial arrangements are in the best interest of the child.

24. The Respondent timely requested findings of fact and conclusions of law regarding the current orders in question over 90 days ago which have yet to be answered.

VII. CONCLUSION

25. This request for intervention is another attempt by our friends on the other side to have the work which should already be on file with the court completed for them.

26. After seven months of litigation, our friends on the other side have done nothing but delay proceedings, file fraudulent and inaccurate pleadings, ignore civil procedure, and are now trying to enforce a void order rendered outside of their own procedural requirements.

27. The unacceptable negligence on behalf of Cooper L. Carter and the trial court as a whole all stems from the intentional, malicious, and deceptive pleadings filed by the Petitioner, and influenced by Daniel Branthoover, and Margie Wilson resulting in direct interference with the Respondent's constitutional rights.

28. No amount of child support can replace what this State and the Petitioner have willingly destroyed with the assistance of Cooper L. Carter, who should be required to disqualify herself from the case due to the inability to perform her duties competently. Given she was required to represent the Petitioner in the first place against her own wishes – the same requirement to withdrawal is appropriate here.

VIII. PRAYER

Respondent respectfully prays for the following:

1. Deny further state intervention until the facts of the case are before the court.
2. Provide findings of fact and conclusions of law for the orders in question as requested on March 26th, 2024, and how they are in the best interest of the Child.
3. Conduct any future hearings in the District Court furnished with a court reporter as mandated by the Texas Family Code.
4. Provide any other equitable relief the court deems necessary.

Respectfully Submitted,
/s/ Charles Dustin Myers
Charles Dustin Myers
Chuckdustin12@gmail.com
1-817-507-6562

CERTIFICATE OF SERVICE

I certify that a true copy of this document was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on June 23rd, 2024:

Morgan Michelle Myers by electronic filing manager at morganmw02@gmail.com.

Cooper L. Carter by electronic filing manager at coopercarter@majadmin.com.

CSD Filer 914 by electronic filing manager at csd-filer-914@texasattorneygeneral.gov

EXHIBIT A
"agreed" associate judge's report
(02.01.2024)

AGREED

ASSOCIATE JUDGE'S REPORT FOR TEMPORARY ORDERS
(Suit Affecting the Parent-Child Relationship, Property and Debts)**DIVORCE WITH CHILDREN**CAUSE NUMBER: 322- 744263-23MORGAN MYERS
AND
CHARLES MYERS§
§
§IN THE DISTRICT COURT
TARRANT COUNTY, TEXAS
322ND JUDICIAL DISTRICT

RESET DATE: _____

1. Appearances:☒ Petitioner/Movant appeared in person and by attorney COOPER CARTER
☒ Respondent appeared in person and by attorney DAN BACALIS
() _____**2. Temporary Conservatorship:**A. ☒ Joint Managing Conservators: Primary Possession to ☒ Mother () Father () Other: _____☒ Mother and Father have the rights and duties under TEX. FAM. CODE ANN. §§ 153.073, 153.074

() Other has the rights and duties under TEX. FAM. CODE ANN. §§ 153.073, 153.074

() Mother () Father () Other have the rights, duties and privileges as set forth in TEX. FAM. CODE ANN. § 153.132 except as follows:

The ☒ Mother () Father () Other shall have the exclusive right to establish the residence of the child(ren) and residence of the child(ren) will be Tarrant County or counties contiguous to Tarrant County, TX and/or _____The ☒ Mother ☒ Father () Other are enjoined from removing the child(ren) from Tarrant County or counties contiguous to Tarrant County, TX for the purpose of establishing the residence of the child(ren) and/or _____The right to make educational decisions shall be by the ☒ Mother () Father () Other.

The right to make invasive surgical decisions shall be by mutual consent of the parties and failing to agree by the (☒Mother (☐Father (☐Other. The term "invasive" means elective surgical decisions.

The right to receive child support shall be by the (☒Mother (☐Father (☐Other_____

B. (☐Sole Managing Conservator: (☐Mother (☐Father (☐Other:_____

(☐Possessory Conservator: (☐Mother (☐Father (☐Other:_____

(☐Mother (☐Father (☐Other have the rights and duties under TEX. FAM. CODE ANN. §§ 153.073, 153.074

(☐Mother (☐Father and/or (☐Other have the rights, duties and privileges as set forth in TEX. FAM. CODE ANN. § 153.132.

(☐Residency Restriction to (☐Tarrant County (☐Tarrant & contiguous counties.

3. Temporary Possession Schedule:

(☐Texas Standard Family Code TEX. FAM. CODE ANN. §§ 153.311 THROUGH 153.316. All possession times begin and end at 6:00 p.m. except for Thursdays which ends at 8:00 p.m.

☒Texas "Extended" Standard Family Code TEX. FAM. CODE ANN. §§ 153.311 THROUGH 153.316. All possession times begin and end at the time school recesses or begins. Thursdays overnight, during the regular school year.

(☐Other:_____

(☒Mother (☐Father (☐Other shall surrender the child to the other person at the residence of (☒Mother (☐Father (☐Other at the beginning of each period of possession.

(☐Mother (☒Father (☐Other shall surrender the child to the other person at the residence of (☐Mother (☒Father (☐Other at the end of each period of possession.

4. Temporary Child Support:

(☐Mother (☒Father shall pay through the Texas State Disbursement Unit, P.O. Box 659791, San Antonio, TX 78265-9791 of \$ 973.19 per month beginning 4-1-2024

Medical Insurance on Child Provided by:
 Insurance Cost Paid by:
 Uncovered Medical, Dental & Vision Costs:

() Mother () Father
 () Mother ~~()~~ Father
~~()~~ Equally ()

Mother to apply for
 Medicaid

5. Additional Orders: _____

App. for Protective Order is non-suited

6. Temporary Spousal Support: N.A.

() Wife () Husband shall pay direct to Spouse \$ _____ per _____ beginning _____

7. Temporary Possession of Property:

Husband: 2021 MAZDA3, his personal prop.
 & clothing 2023 MAZDA CX-8 (LEASED)
 Respondent to vacate home at 6641 Anne Court
 WATAUGA by March 1, 2024

Wife: 2007 MAZDA, her personal property
 & clothing, 6641 Anne Court, WATAUGA,

8. Temporary Payment of Debts and Bills:

Husband: His living expenses: CAR PAYMENT, his auto INS
his telephone payment.
LEASE PAYMENT for HOMEStAD for FEBRUARY
& MARCH 2024

Wife: Her living expenses: her AUTO INSURANCE, her
telephone payment. LEASE payment on HOMEStAD
AFTER March 30, 2024

9. Temporary Injunctions:

☒ Mutual Temporary Injunctions as to Persons pursuant to the Texas Family Practice Manual.

☒ Mutual Temporary Injunctions as to Property pursuant to the Texas Family Practice Manual.

the parties to communicate through App Case

10. MISCELLANEOUS:

☒ The parties are to attend "Children in the Middle" part 1 and/or 2 by 5/1/24 and to file a certificate with the Court. Each to pay for their own costs.

☒ Neither party shall consume, use or have in their possession any illegal drug or drugs at any time nor shall they have, at any time, a legal drug or drugs in their possession for which that party does not have a prescription.

Neither party shall consume alcohol at least 12 hours prior to their time for possession of the child(ren).

Neither party shall consume alcohol during their period of possession with the child(ren).

Neither party shall attend one of the child(ren)'s activities if they have consumed alcohol or they are under the influence of alcohol.

Neither party shall leave the child(ren) with a person who is consuming alcohol at least 12 hours prior to taking possession of the child(ren) or has in their possession an illegal drug(s), including prescription drugs, as a childcare provider. No disparaging remarks in the presence of the child(ren) and no discussion of litigation or issues of the case with the child(ren).

(X) The parties are not to discuss the litigation or issues with the child(ren) about the other party. The aforementioned sentence means that neither party shall belittle, talk bad, refer to the other party using a profane name or names, profanity or curse words.

The parties are not to discuss the litigation or issues with the child(ren). This paragraph presumes the child(ren) is old enough to communicate with a party. The aforementioned sentence means that neither party shall discuss what occurred in Court including the testimony of any witness or witnesses with the child(ren).

A party is allowed to reasonably offer an age-appropriate statement to discuss the effect of an Order with the child(ren) with a brief statement or sentence. For example, a party is not allowed to show a document to the child(ren) and attempt to comprehensively discuss the case in detail with the child(ren).

A typed written Order conforming to this Report will follow within 20 days from the date this Report is signed. The Temporary Order shall be prepared by DAN BACALIS.

Each attorney should approve the Order. The parties do not need to approve the Order. The attorney reviewing the proposed Order shall have five (5) days to do so. There are no ten (10) day letters. If an agreement is not reached, a Motion to Sign shall be filed and set within thirty (30) days from the signing of this Report.

AGREED AS TO FORM AND SUBSTANCE

[Signature]
Attorney for Petitioner

[Signature]
Attorney for Respondent

[Signature]
Petitioner

[Signature]
Respondent

SO, ORDERED:

[Signature]
322ND Associate Judge

Date: FEBRUARY 1, 2024

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 84305097
Filing Code Description: No Fee Documents
Filing Description: AGD AJ REP
Status as of 2/8/2024 3:12 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Cooper L.Carter		coopercarter@majadmin.com	2/8/2024 2:29:20 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Bacalis		service@dbacalis.com	2/8/2024 2:29:20 PM	SENT
Tammy L.Johnson		tjohnson@dbacalis.com	2/8/2024 2:29:20 PM	SENT
Daniel R.Bacalis		dbacalis@dbacalis.com	2/8/2024 2:29:20 PM	SENT
CHARLES MYERS		chuckdustin12@gmail.com	2/8/2024 2:29:20 PM	SENT

EXHIBIT B

email correspondence (IWO)



Cooper Carter <coopercarter@majadmin.com>

Thu, May 9, 1:12 PM



to me ▼

Mr. Myers,

Attached is a copy of the Income Withholding Order regarding your child support obligation as agreed to by the parties and ordered by the Court for your review. If you are in agreement that these provisions are in accordance with the Temporary Orders that were agreed to by the parties and rendered by the Court, then please notify me of your acceptance of these orders and I will file it with the court. If you are not in agreement that these orders do not conform with the Temporary Orders signed by the Judge, then please notify me of what you believe the discrepancy to be.

If I do not receive any communication from you regarding this matter within 10 days, I will be filing this document with the Court and submitting it to the Judge for signature.

Thank you,

Cooper L. Carter
Attorney at Law

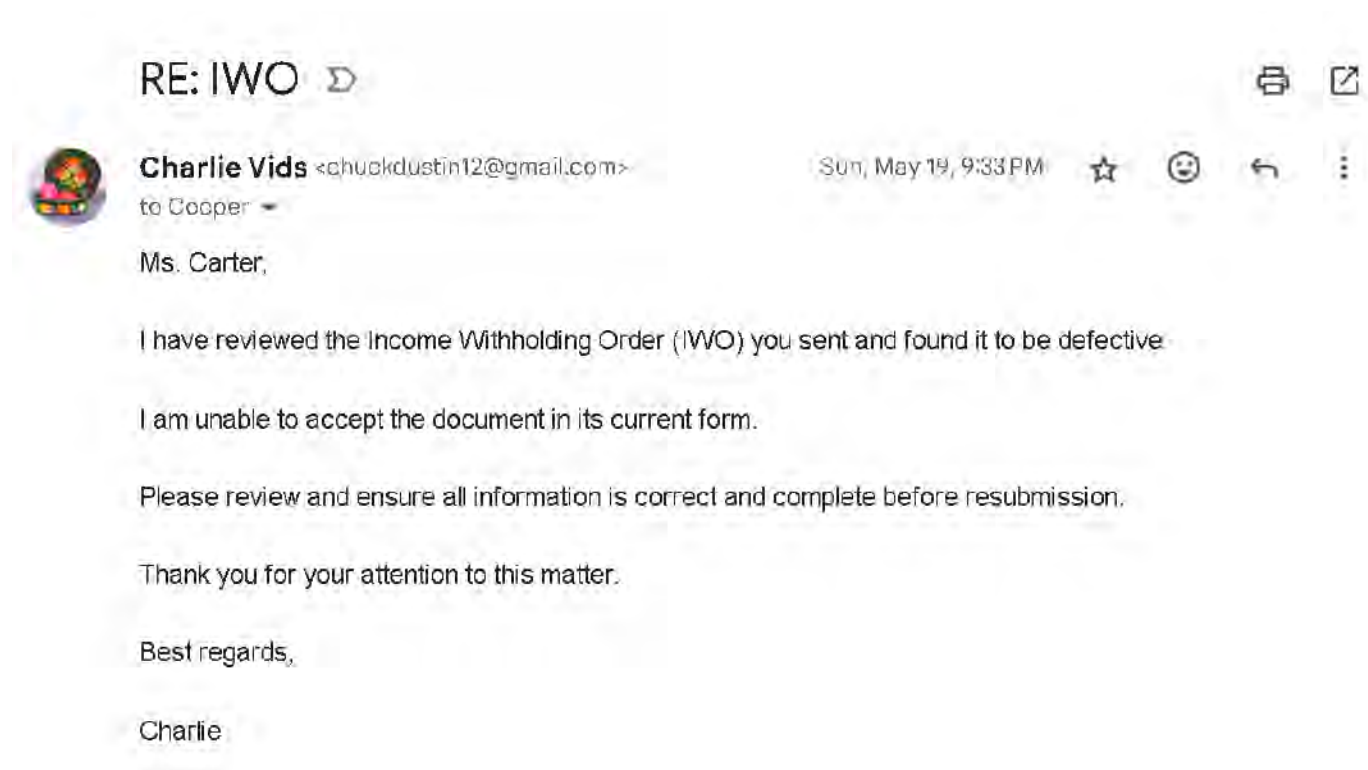


EXHIBIT C

defective IWO

INCOME WITHHOLDING FOR SUPPORT

OMB 0970-0154
Expiration Date: 09/30/2023

I. Sender Information: (Completed by the Sender)

Date:

INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)

AMENDED IWO

ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT

TERMINATION OF IWO

Child Support Enforcement (CSE) Agency Court Attorney Private Individual/Entity (Check One)

NOTE: This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions www.acf.hhs.gov/css/resource/income-withholding-for-support-instructions). If you receive this document from someone other than a state or tribal CSE agency or a court, a copy of the underlying support order must be attached.

State/Tribe/Territory

Remittance ID (include w/payment)

City/County/Dist./Tribe

Order ID

Private Individual Entity

Case ID

II. Employer and Case Information: (Completed by the Sender)

RE:

Employer/Income Withholder's Name

Employee/Obligor's Name (Last, First, Middle)

Employer/Income Withholder's Address

Employee/Obligor's Social Security Number

Employee/Obligor's Date of Birth

Custodial Party/Obligee's Name (Last, First, Middle)

Employer/Income Withholder's FEIN

Child(ren)'s Name(s) (Last, First, Middle)

Child(ren)'s Birth Date(s)

III. Order Information: (Completed by the Sender)

This document is based on the support order from

(State/Tribe).

You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$	Per	current child support		
\$	Per	past-due child support - Arrears greater than 12 weeks?	Yes	No
\$	Per	current cash medical support		
\$	Per	past-due cash medical support		
\$	Per	current spousal support		
\$	Per	past-due spousal support		
\$	Per	other (must specify)		

for a **Total Amount to Withhold** of \$ per

IV. Amounts to Withhold: (Completed by the Sender)

You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$	per weekly pay period	\$	per semimonthly pay period (twice a month)
\$	per biweekly pay period (every two weeks)	\$	per monthly pay period

\$ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) STATEMENT OF PUBLIC BURDEN: The purpose of this information collection is to provide uniformity and standardization. Public reporting burden for this collection of information is estimated to average two to five minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a mandatory collection of information in accordance with 45 CFR 303.100 of the Child Support Enforcement Program. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless it displays a currently valid OMB control number. If you have any comments on this collection of information, please contact the Employer Services Team by email at employerservices@acf.hhs.gov.

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN: [REDACTED]

Case ID:

Order ID:

V. Remittance Information: (Completed by the Sender except for the "Return to Sender" check box.)

If the employee/obligor's principal place of employment is _____ (State/Tribe), you must begin withholding no later than the first pay period that occurs _____ days after the date of _____ of the order/notice. Send payment within _____ business days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold _____ % of disposable income for all orders. If the employee/obligor's principal place of employment is not _____ (State/Tribe), obtain withholding limitations, time requirements, the appropriate method to allocate among multiple child support cases/orders and any allowable employer fees from the jurisdiction of the employee/obligor's principal place of employment.

State-specific withholding limit information is available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements. For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf or www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html.

You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) [15 USC §1673 (b)]; or 2) the amounts allowed by the law of the state of the employee/obligor's principal place of employment if the place of employment is in a state; or the tribal law of the employee/obligor's principal place of employment if the place of employment is under tribal jurisdiction. The CCPA is available at www.dol.gov/sites/dolgov/files/WHHD/legacy/files/garn01.pdf. If the Order Information section does not indicate that the arrears are greater than 12 weeks, then the employer should calculate the CCPA limit using the lower percentage.

If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to federal, state, or tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support.

If the obligor is a nonemployee, obtain withholding limits from the **Supplemental Information** section in this IWO. This information is also available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements.

Remit payment to

at

(SDU/Tribal Order Payee)

(SDU/Tribal Payee Address)

Include the Remittance ID with the payment and if necessary this locator code of the SDU/Tribal order payee on the payment.

To set up electronic payments or to learn state requirements for checks, contact the State Disbursement Unit (SDU). Contacts and information are found at www.acf.hhs.gov/css/resource/sdu-eft-contacts-and-program-requirements.

Return to Sender (Completed by Employer/Income Withholder). Payment must be directed to an SDU in accordance with sections 466(b)(5) and (6) of the Social Security Act or Tribal Payee (see Payments in Section VI). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you must check this box and return the IWO to the sender.

If Required by State or Tribal Law:

Signature of Judge/Issuing Official:

Print Name of Judge/Issuing Official:

Title of Judge/Issuing Official:

Date of Signature:

If the employee/obligor works in a state or for a tribe that is different from the state or tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN:

Case ID:

Order ID:

VI. Additional Information for Employers/Income Withholders: (Completed by the Sender)

Priority: Withholding for support has priority over any other legal process under State law against the same income (section 466(b)(7) of the Social Security Act). If a federal tax levy is in effect, please notify the sender.

Payments: You must send child support payments payable by income withholding to the appropriate State Disbursement Unit or to a tribal CSE agency within 7 business days, or fewer if required by state law, after the date the income would have been paid to the employee/obligor and include the date you withheld the support from his or her income. You may combine withheld amounts from more than one employee/obligor's income in a single payment as long as you separately identify each employee/obligor's portion of the payment. Child support payments may not be made through the federal Office of Child Support Enforcement (OCSE) Child Support Portal.

Lump Sum Payments: You may be required to notify a state or tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments. Employers/income withholders may use OCSE's Child Support Portal (ocsp.acf.hhs.gov/csp/) to provide information about employees who are eligible to receive lump sum payments and to provide contacts, addresses, and other information about their companies. Child support payments may not be made through the federal OCSE Child Support Portal.

Liability: If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by state or tribal law/procedure.

Anti-discrimination: You are subject to a fine determined under state or tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

Supplemental Information:

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN: [REDACTED]

Case ID:

Order ID:

VII. Notification of Employment Termination or Income Status: (Completed by the Employer/Income Withholder)

If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, you must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the **Contact Information** section below or using OCSE's Child Support Portal (ocsp.acf.hhs.gov/csp/). Please report the new employer or income withholder, if known.

This person has never worked for this employer nor received periodic income.

This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date:

Last known telephone number:

Last known address:

Final payment date to SDU/Tribal Payee:

Final payment amount:

New employer's or income withholder's name:

New employer's or income withholder's address:

VIII. Contact Information: (Completed by the Sender)**To Employer/Income Withholder:** If you have questions, contact

(sender name) by

telephone:

, by fax:

, by email or website:

.

Send termination/income status notice and other correspondence to:

(sender address).

To Employee/Obligor: If the employee/obligor has questions, contact

(sender name)

by telephone:

, by fax:

, by email or website:

.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

Encryption Requirements:

When communicating this form through electronic transmission, precautions must be taken to ensure the security of the data. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Enforcement. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

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Envelope ID: 89346219

Filing Code Description: Request

Filing Description: Objection to Title-IV Intervention

Status as of 7/1/2024 8:11 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	6/30/2024 6:13:37 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	6/30/2024 6:13:37 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	6/30/2024 6:13:37 PM	SENT

Associated Case Party: ATTORNEY GENERAL OF TEXAS

Name	BarNumber	Email	TimestampSubmitted	Status
HOLLY HAYES		csd-filer-914@texasattorneygeneral.gov	6/30/2024 6:13:37 PM	SENT

Automated Certificate of eService

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Envelope ID: 101163262

Filing Code Description: Motion (No Fee)

Filing Description: Motion to Strike the Intervention of the Office of the Attorney General

Status as of 5/22/2025 4:17 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	5/22/2025 1:24:03 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	5/22/2025 1:24:03 PM	SENT
HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	5/22/2025 1:24:03 PM	SENT