

NO. 322-744263-23

IN THE 322nd DISTRICT COURT OF TARRANT COUNTY, TEXAS

ITMOMO

(AITIO M.E.M., C.R.M., two children)
MORGAN MICHELLE MYERS

Petitioner,

CHARLES DUSTIN MYERS,

Objection to Trial Setting and Request for Stay
of Proceedings

Respondent.

2025-04-23

TO THE HONORABLE COURT:

The undersigned, Charles Dustin Myers, respectfully objects to any attempt to set the above referenced matter for any trial setting, and in support of this objection, shows the following:

Three concurrent mandamus

There are currently three pending mandamus petitions awaiting resolution in the Second Court of Appeals seeking redress from recent actions taken by COOPER L. CARTER, counsel for Petitioner, to thwart emergency TRO proceedings in the 233rd District Court of Tarrant county.

In sum, these mandamus petitions address the following alleged errors:

1. Void orders; (this case) 02-25-00166-CV
2. Improper consolidation; 02-25-00171-CV
3. Refusal to rule. 02-25-00164-CV

Current issues

Currently, there are several issues that remain unaddressed that need to be resolved:

1. The entire case foundation is fraudulent due to Petitioner's pleadings.
2. The undersigned has sought relief from this situation since March 14, 2024, when the original orders issued on January 16, 2024, which removed the undersigned from his home without the required findings, were leveraged into a settlement agreement that was not consented to by all of the parties and did not serve the best interests of the children.
3. COOPER L. CARTER's authority remains in question, and her inactivity combined with the ambiguity surrounding her representation must be addressed.
4. The undersigned has been forced to live in transient housing and incur extraordinary damages to his business operations due to the Petitioners fraudulent allegations which were never supported by evidence.
5. The children in this matter continue to suffer ongoing and irreparable harm from being separated from their father unjustifiably.
6. There is no child support set up for the children.

Informal service

Furthermore, the court continues to issue notices informally through the court coordinator, which is improper.

Pursuant to Texas Rules of Civil Procedure Rule 21a, service of a notice via email directly, rather than through the electronic filing manager (EFM), does not constitute proper

service if the email address is on file with the EFM. Texas courts have consistently held that electronic service must be made through the EFM when the recipient's email address is registered there. The undersigned's email is registered with the EFM.

Conclusion

Because the undersigned has an email on file with the EFM, there is no court order requiring alternative service, and there is no agreement waiving formal service, any notice of court proceedings not in compliance with rule 21a of the Texas Rules of Civil Procedure is improper.

Furthermore, because there are several issues that remain unaddressed, such as COOPER CARTER'S authority, the ongoing mandamus proceedings, the ongoing irreparable harm to the children, and the facially void orders which have caused detrimental effects to the undersigned, the risk of these issues creating future delays remains high.

The undersigned is prepared to challenge any adverse actions taken against him in the face of these issues and will seek relief until this matter is resolved in accordance with the principles of fairness and justice. The undersigned requests that the court stay all future proceedings until the above matters are resolved.

Respectfully submitted,

/s/ *Charles Dustin Myers*
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