

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
6641 Anne Court
Watauga, TX 76148
Chuckdustin12@gmail.com
Tel.: 817-507-6562

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
6641 Anne Court
Watauga, TX 76148
Chuckdustin12@gmail.com
Tel.: 817-507-6562

EXHIBIT 1

**IN THE MATTER OF
THE MARRIAGE OF**

**MORGAN MYERS
AND
CHARLES MYERS**

**AND IN THE INTEREST OF
MARA MYERS AND
CAROLINE MYERS
CHILDREN**

IN THE DISTRICT COURT

IN THE DISTRICT COURT

322ND JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

MOTION FOR PRETRIAL CONFERENCE

This Motion for Pretrial Conference is brought by Petitioner, Morgan Myers, who requests the court to order a pretrial conference. In support, Morgan Myers shows:

1. A pretrial conference is necessary to formulate and simplify issues.
 2. A pretrial conference will enhance the possibility of settlement

Morgan Myers prays that the Court grant the Motion for Pretrial Conference.

Respectfully submitted,

MARX, ALTMAN, & JOHNSON
2905 Lackland Road
Fort Worth, TX 76116
Tel: (817) 926-6211
Fax: (817) 926-6188

By: /s/ Cooper L. Carter

Cooper L. Carter
State Bar No. 24121530
cooper.carter@majadmin.com

Certificate of Service

I certify that a true copy of the above was served on each attorney of record or party in accordance with the Texas Rules of Civil Procedure on April 24, 2024

/s/ Cooper L. Carter

Cooper L. Carter

Attorney for Morgan Myers

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.

Roderick Marx on behalf of Cooper Carter
Bar No. 24121530
MAJFIRM@YAHOO.COM
Envelope ID: 86999360
Filing Code Description: Motion (No Fee)
Filing Description: MOTION FOR PRETRIAL CONFERENCE
Status as of 4/24/2024 10:46 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	4/24/2024 9:58:31 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	4/24/2024 9:58:31 AM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	4/24/2024 9:58:31 AM	SENT

EXHIBIT 2



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 cc-ed for convenience.

Thanks!

Cooper L. Carter

Attorney at Law

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: 87035976

Filing Code Description: Answer/Contest/Response/Waiver

Filing Description: Objection to Motion for Pre-trial Conference

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		coopercarter@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