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,** Respondent. 2025-04-22	EMERGENCY EX-PARTE APPLICATION FOR TRO

TO THE HONORABLE JAMES MUNFORD:

On January 16, 2024, we first met under notably peculiar circumstances. Initially, the court had publicly announced its closure via Facebook. Exhibit 1. I'm certain you were just as astonished to learn there were parties waiting outside expecting a hearing, as we were to find ourselves standing in a courthouse with the lights turned off.

I had been compelled to appear to show the court why a protective order should not be ordered against me. I appeared with a white binder ready to do just that – my daughter's faces on the front cover to remind myself of what I was fighting for.

Back then, this was all foreign to me. That had been my first time in a courtroom since I was a child going through the divorce process as an adolescent. Nonetheless, I did not come unprepared. I came ready to defend myself against the claims made against me. I came ready to defend the family that I had worked so hard to protect.

If you recall, on that day my wife arrived accompanied by Debbie Price and Damen Kazlauskas, names familiar to this record. Although you undoubtedly witness countless individuals and cases, I am certain this one stands out vividly—as it was perhaps the only time in your judicial career you sat as a District Judge presiding in the Associate Judge's court, alone in an otherwise vacant courthouse. Since that moment, my life and my children's lives have been completely upended, forcing me into an endless cycle of litigation and desperate attempts to uncover any justification for these events. For the past 13 months, I have diligently studied and sought answers, driven solely by necessity. However, upon reviewing the Petitioner's original pleadings, I realized you acted out of caution—and now I can clearly demonstrate why that caution was misplaced. The allegations made were not only exaggerated but entirely false, and the evidence I now present will decisively confirm this. With this clarity, I respectfully request that you reconsider the events of that day and rectify the resulting injustice, and the last fourteen months will become as clear to you as they now are to me due to the foregoing:

I. INTRODUCTION AND BACKGROUND

I have had one goal since January 16, 2024: get home so that I can plan for my children's future, and my own future. While it's true that my wife's grandparents own the house at 6641 Anne Court, Watauga, Texas 76148, the need for the residency *is essential* to find a replacement. I agree with you: in a normal situation, who would want to live next door to their ex-wife's grandparents? In my case, it's not that I want to, I *have to temporarily*.

A unique situation

As stated throughout this litigation, I worked from inside the home. My line of work involves data analysis, web development, and working with financial market data. This requires a very high level of bandwidth that cannot be accommodated without specific internet connection with fiber connectivity. This means providers like charter spectrum are a no-go. To satisfy my client's needs, I *must* have latency-free internet, or the services I provide (real-time market data, including stock options and database operations) are not adequate, and the clients I serve will seek alternate services.

As my client-base grew in 2022, I took some time off work to be with the family and developed a plan to scale my operations effectively. This operation took roughly one year to complete and was finalized when switching over to AT&T fiber internet in September 2023, as shown in FIGURE 1.

FIGURE 1

Figure 1 reflects the growth arc and operational turbulence of my business. The peak in paid members occurred in July 2022, which corresponds directly to the point where I initiated a strategic scale-up of my infrastructure to accommodate rising demand. However, during this transition, the existing internet setup proved inadequate for the demands of live financial data services, database operations, and client-side analytics. The result was a noticeable drop in paid subscriptions, as the quality of service temporarily declined due to latency issues and inconsistent bandwidth.

The upgrade

Determined to retain trust and stabilize operations, I paused active business development and invested in the long-term infrastructure needed to support client needs at scale. This culminated in the September 2023 installation of AT&T Fiber, a critical upgrade that provided the low-latency, high-throughput connectivity required for real-time stock and options data processing. The PETITIONER was aware of this:

FIGURE 2

Figure 2 shows a Facebook Messenger conversation with PETITIONER after the upgrade, showing she was fully aware of my need for the residence. This meant that

any kind residency change would need to be carefully planned in order to accommodate my client base, and time would be needed to ensure a smooth transition occurred. Not only for my business, but more importantly, for our daughters.

Family dynamics

Once my home-based work environment was established, the greatest reward became clear: being present in my children's lives every single day. I was there for every meaningful moment—volunteering on school field trips, bathing them, assisting with homework, reading bedtime stories, preparing and sharing meals, caring for them when they were sick, walking them to and from school, taking them to dance class, playing outdoors, and creating cherished family memories on vacations.

This privilege didn't come easily; it was the direct result of countless hours spent building my business from scratch, precisely so I could be an active, hands-on parent. To be clear, Petitioner was never an unfit parent; she loved our children deeply, actively participated, and shared in many of these same responsibilities and moments.

This dream-like scenario manifested to prevent my children from having to live the unstable up-bringing I faced as a child, to give them what I never had, and to ensure that they never had to live through what I did as a young child: divorce.

II. THE DIVORCE AND EVENTS LEADING UP TO REMOVAL

The divorce announcement

On December 1st, 2023, Petitioner announced her desire for a divorce. This announcement so close to the holidays was not only shocking, but it was also a complete blindside. Even her grandfather, who I still get along with very well, agreed with this fact:

The people closest to her had no clue that divorce was even a possibility, and our biggest concern immediately became the girls. Unsure of what to do, I began to investigate, and what I discovered unveils the true motive of the Petitioner.

The affair

On December 12, 2023, just before sending the text message above to "Papaw", her grandfather next-door, I discovered a concerning amount of text messages on our jointly owned AT&T account. The context of these messages is unknown, but sheer volume alone was enough to raise suspicion, which ultimately ended up being a valid suspicion indeed.

Attached is EXHIBIT A, which is a CASE MEMORANDUM that I filed with the court and served on the opposing party on January 13, 2025. If you click the forthcoming exhibit reference, it will take you to the relevant section of the memorandum: **EX. A, P.8**

This level of communication is not only concerning, but it's the first sign that Petitioner's priorities were shifting away from the children, and onto something else. The raw text messages with the timestamps have been served to the opposing counsel and can be found as **EXHIBIT B** attached hereto.

My area of work involves aspects of data visualization, and when you plot the data from these messages as shown in **EX. A, P.10** the exponential nature of this relationship grew substantially. In fact, the chart reveals that this relationship took priority over *all* her family members combined, including myself. **EX. A, P.11** reveals that between the survey period of October 2022 through December of 2023, Petitioner's communications with these individuals accounted for 44% of all

communications with her top 25 contacts. Petitioner is aware of these images, and at the time, explained these interactions as “emotional support.” Common sense would argue otherwise. She would also visit their residence 18 hours per week.

The narrative

After confronting the Petitioner on December 13, 2023, she began a desperate campaign against me extradite me from the family home to conceal the affair and protect the affair simultaneously. Her first move was to get to the grandparents, which as shown above, was supposed to be a family conversation to discuss logistics and the plan for the children. However, once confronted with the affair, Petitioner had different plans:

This conversation lasted for over four hours, and she didn’t return home until 1:30 A.M. that night. To this day, I still have no clue what was said, however, it is clear from the actions that followed that the Petitioner initiated her plan to paint a narrative of family violence, which is exactly why her next move was to contact Dan Branthoover, a man no stranger to protective orders himself, both a prior violator of

a protective order himself, and the recipient of one based on his public criminal history.

She began texting him on December 14, 2023, the same day she first approached this court seeking an emergency order of protection. The messages are in order from the most recent to the oldest, and starting on **EX. B, P.21** Dan's involvement becomes evident. Now, when looking at **EX. A, P.14** it indeed becomes apparent that the discussions were divorce related. Petitioner travelled to his residence over the weekend of December 15, 2023, for the express purpose of receiving help filling out her divorce paperwork, as shown in the text message itself. She also converted $1,576 to herself, as Petitioner admits. **EX. A, P.15**

If that wasn't enough, she then contacted her grandmother on December 17, 2023, and had her serve me an eviction notice. This eviction notice foreshadowed what was to come – as it highlighted a protective order that wasn't filed until December 22, 2023.

The stage was set

When Petitioner returned home on the evening of December 17, 2023, she arrived with a can of pepper spray mace, and a secondary phone to conceal her extramarital communications with Damen Kazlauskas. Now that the facts are established leading up to the next phase of her plan, we turn to the Petitioner's first pleading that I was served on December 27, 2023: the Original Petition for Divorce.

ORIGINAL PETITION FOR DIVORCE

On December 18, 2023, PETITIONER, Morgan Michelle Myers, filed for a divorce with the 322nd District Court of Tarrant County. PETITIONER filed an affidavit of indigency with the petition.

In this divorce petition, she requested the following relief from the court:

a. Mother should have the exclusive right to determine the primary residence of the children.
b. Father should have "standard visitation".
c. I have filed paperwork at the courthouse asking for a protective order against my spouse, but a judge has not decided if I should get it. I asked for a protective order on 12/14/2024.
d. If my spouse and I can agree about how to divide the property and debts we got during our marriage, I ask the Court to approve our agreement. If we cannot agree, I ask the Court to divide our community property and debts according to Texas law.
e. I ask the Court to waive the 60-day waiting period for divorce because:
    i. I have an active protective order or an active magistrate's order for emergency protection against my spouse

because of family violence during our marriage. The order includes a finding that my spouse committed family violence. **EX. A, P.34**

f. I believe my children or I will be harassed, abused, seriously harmed or injured or otherwise subjected to family violence if I must give my spouse the information checked below for myself and the child(ren):

   i. Home phone

   ii. Work phone

For separate property, PETITIONER alleged:

a. I own the following separate property. I owned this property before I was married, or I received this property as a gift or inheritance during my marriage or I received this property as recovery for personal injuries that occurred during the marriage (not including any recovery for lost wages or medical expenses). I ask the Court to confirm this property as my separate property:

   i. 2023 MAZDA CX5 with the VIN number: JM3KFBCM1P0135569

Four days later, Petitioner filed an Application for Protective order:

THE PROTECTIVE ORDER

I was compelled to be in court on January 16, 2024, to show cause as to why a protective order should not be issued against me. Filed by Petitioner ("PETITIONER") on December 22, 2023, she sought the following relief:

1. Not communicate or attempt to communicate in any manner with PETITIONER;
2. Not go within 200 yards of PETITIONER;
3. Not go within 200 yards of the residence of the PETITIONER;
4. Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.
5. Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor;· and pay all costs for the counseling or treatment ordered.

When describing the most recent time the Relator allegedly committed family violence, PETITIONER stated in her affidavit:

a. “Told me I deserved to be beat up, that another woman should come ‘kick my ass’”.
b. This allegedly occurred on December 18, 2023.
c. The children were present.

When describing a prior incident where she had been hurt in the past, PETITIONER stated:

a. “Multiple mentions of ‘we just need to fuck’ and other sexually aggressive comments, laying in bed naked when I previously said I don’t want to show/participate in any physical affection.”
b. The children were present.

EXHIBIT A

CASE MEMO

01.13.2025
(SERVED)

NO. 24-0395

NO. ___ SW3d ___, 04-10-24
NO. 322-744263-23 & NO. 322-744538-23

Morgan Michelle Myers *v* Charles Dustin Myers

CASE MEMORANDUM

In the 322nd District Court of Tarrant County, Texas

Honorable Judges:

James B. Munford, Jeff Kaitcer, Justice Lee Gabriel, and Regional Presiding Judge David L. Evans

200 E. Weatherford St. 4th Floor
Fort Worth, TX
Tel.: (817) 884-1427

Respectfully submitted by:

Charles Dustin Myers, Respondent

To: Honorable Judges James Munford and Jeff Kaitcer of the 322nd Judicial District Court of Tarrant County, Visiting Retired Justice Lee Gabriel, the Honorable David L. Evans, and opposing counsel Cooper L. Carter
Re: Charles Dustin Myers (Respondent)

Date: 01/14/2025
Subj: Case Memorandum
No#: 322-744263-23

I. INTRODUCTION

1. *A Year of Unjust Exile*

On January 16, 2024, this Court authorized the removal of Respondent from his own home—a decision that, to this day (January 13, 2025), remains unexplained. Despite Respondent's diligent pursuit of relief from multiple courts and encountering numerous judicial officers (including the Second Court of Appeals, the Supreme Court of Texas, the Honorable 8th Administrative Regional Judge, the Honorable Justice Lee Gabriel, the Northern District of Texas, and now the Western District of Oklahoma), not one venue has addressed the glaring inconsistencies and fraud underpinning the orders that separated a father from his children without justification.

2. *Complete Lack of Opposition or Defense*

No one—neither the Petitioner, Morgan Michelle Myers, nor her counsel—has bothered to dispute Respondent's sworn allegations or offer any substantive defense. They have failed to participate in discovery, neglected to provide legitimate service, and have offered no rebuttal to the detailed factual record establishing fraud. This utter silence speaks volumes, particularly given the life-altering stakes for Respondent and the children who have lost a parent's day-to-day presence in contrast to this State's policy. *See* Tex. Fam. Code sec. 153.001.

3. *Unprecedented and Ongoing Harm*

Respondent has lost his family, his home, and his means of earning a livelihood. He has also lost precious, irreplaceable time in his children's lives. This Court's removal order effectively rewarded Petitioner's deceptive pleadings—pleadings that all evidence shows were purpose-built to conceal her own misconduct and to deny Respondent even a semblance of due process or a say in the dissolution of his eight-year marriage.

4. *Urgent Appeal for Corrective Action*

Respondent implores this Honorable Court—and any judicial authority reading this record—to immediately rectify this travesty. The legal system's core responsibility is to protect children's best interests and uphold fairness in family disputes. Here, neither principle has been honored. This matter demands an urgent remedy. *See* Tex. Fam. Code sec. 153.002

II. DECEPTION UPON THE COURT

5. *Four Filings in Rapid Succession*

The Petitioner, MORGAN MICHELLE MYERS, approached the 322nd District Court of Tarrant County a total of three times between December 14th, 2023, and December 22nd, 2023, where she requested an ex-parte order of protection, filed an affidavit of inability to pay court costs, an original petition for divorce, and an application for a standard protective order. A true and accurate copy of these documents has been attached for reference. True and accurate copies of these documents have been attached hereto.

6. *Covert Preparations and Assistance*

Immediately after the first filing (December 14, 2023), Petitioner opened a new bank account. She then traveled to Yukon, Oklahoma, where her relative, Dan Branthoover, admittedly assisted her in preparing subsequent filings designed to achieve the very result we see today—

Respondent's abrupt removal from his home. Mr. Branthoover is now facing a suit in the Western District of Oklahoma for his pivotal role in perpetuating the fraud that has so grievously harmed Respondent and the children and with clear malicious intent.

FALSE REPRESENTATION OF THE CASE BEING UN-CONTESTED

7. *Illusion of Agreement from the Start*

The first knowingly false document presented came in the form of a request for an attorney to review the Petitioner's paperwork where she claimed that the case was uncontested. This only came after an emergency protective order request, calling into question her credibility from the start.

AFFIDAVIT OF INABILITY TO PAY COURT COSTS

8. *Sworn Misrepresentations*

The Petitioner, **Morgan Michelle Myers**, declared under penalty of perjury that she could not afford the $400 filing fee for divorce and that the children "relied solely on her income." Yet the record conclusively shows that **Respondent** was the primary provider. Further, Petitioner's own texts confirm she had far more than enough funds at the time of filing. Specifically:

1. On December 16, 2023, Petitioner and her relative, Dan Branthoover, both openly admitted via text message that Petitioner moved marital funds into her personal account. This is corroborated by statements from both Branthoover and Petitioner acknowledging the transfer via text message.

2. Petitioner then proceeded to lie on the December 18, 2023, Affidavit of Inability to Pay, claiming she had "only $20" in her bank account.

9. *The Conversion of $1,576.00 and Additional Deceptions*

Supported by bank statements and text message evidence, there is no doubt Petitioner had more than sufficient resources to cover court costs at the time she claimed indigency. These facts have been pleaded numerous times without any rebuttal from Petitioner. As such, the case should be dismissed under § 13.001 of the Texas Civil Practice & Remedies Code, because her affidavit was indisputably falsified.

10. *Fictitious Expenses*

In her affidavit, Petitioner also represented to the Court that she personally paid for both car payments—a 2023 Mazda CX-5 and a 2020 Mazda3 as well as $800 in monthly rent plus utilities. These statements are demonstrably untrue. Bank records prove that Respondent, not Petitioner, was the primary financial manager covering these obligations. Moreover, Respondent is currently paying for these same vehicles that Petitioner claimed she alone was financing**,** one of which has been damaged by the Petitioner. Not only was Petitioner never solely responsible for these payments, but her own text messages show that on **December 16, 2023**, she withdrew or transferred significant funds to herself and then declared under oath—just two days later—that she was penniless and could not afford the $400 court costs.

Taken together, these glaring contradictions demolish the veracity of Petitioner's "indigency" claim and warrant dismissal.

THE ORIGINAL PETITION FOR DIVORCE

11. *Petitioner's Contradictory Statements*

The divorce petition, filed on December 18, 2023, contained allegations that a protective order had been requested on December 14 but remained undecided, while simultaneously asserting that an "active" protective order existed finding family violence, thus justifying a 60-day waiver. These allegations are inconsistent and should have alerted the Court to Petitioner's

lack of credibility. Moreover, Texas Family Code § 6.405(b) requires attaching any protective order referenced in a divorce petition, which Petitioner failed to do. 6.405(b)'s protections were overlooked by the court, as no hearing should have ever taken place on January 16th, 2024, given this claimed order of protection was never could not ever have been presented to the court because it has never existed.

12. Critical Misstep by the Court

Had the Court recognized these glaring inconsistencies—or merely reviewed the supporting documents—it would have avoided its own January 16, 2024, order expelling Respondent from the marital residence.

THE APPLICATION FOR PROTECTIVE ORDER

13. *The Second, Frivolous Request*

On December 22, 2023, Petitioner pursued yet another protective order, despite having just claimed—four days earlier—that she already had one in effect. This confounding behavior shows that Petitioner was bent on amassing multiple orders to ensure Respondent's removal, despite no demonstrable threat or legitimate need to do so.

14. *Contradictory Conduct That Undermines Credibility*

Text messages and photographs from **December 22, 2023**, depict Petitioner laughing and playing with the children in the marital home alongside Respondent—the very person she allegedly "feared." No credible evidence has ever been presented to support her allegations of family violence. Instead, the protective-order filings clearly appear more like strategic maneuvers to lock in "temporary orders," later, which is exactly what occurred. Perhaps most alarming is that the current orders are purported to be agreed, just as the case was first purported to be uncontested. The level of injustice here must be addressed.

THE CURRENT TEMPORARY ORDERS

15. *Mischaracterized "Agreed" Orders*

These temporary orders cite a motion never served on Respondent and a hearing that never occurred. The orders erroneously state Respondent "agreed," yet only Petitioner's signature appears. This deficiency alone robs the orders of procedural validity.

16. *Lack of Substantive Participation by Petitioner's Counsel*

Petitioner's counsel filed no substantive pleadings and participated minimally in court—mainly through baseless objections blocking Respondent's right to cross-examine Petitioner. Unsurprisingly, these "temporary" orders contain multiple factual inaccuracies and remain uncontested only because Petitioner and her counsel have refused to litigate the matter on the merits.

17. *An Engineered Narrative to Justify Removing Respondent*

Respondent's evidence—bank statements, text logs, phone records—reveals Petitioner's true motive: to conceal her misconduct, secure the marital residence, and isolate Respondent from the children during the holidays, all while ignoring basic rules of discovery and honesty to live out a fantasy that had been culminating for over a year.

III. PETITIONER'S MOTIVE

DEBBIE PRICE AND DAMEN KAZLAUSKAS

18. *Why Go to Such Extremes?*

Why would a spouse fabricate claims of needing protection, systematically lie under oath about her finances, and manipulate the judicial system? The answer emerged on December 12**,** 2023, when Respondent discovered **over** 16,500 text messages between Petitioner and two individuals outside the marriage, Debbie Price and Damen Kazlauskas. Faced with the imminent

exposure of her extramarital relationships—and the looming scrutiny of the courts—Petitioner embarked on a frantic quest to lock Respondent out of the marital home and silence any questions about her own wrongdoing.

19. *Sudden Divorce Announcement*

On December 1, 2023, Petitioner abruptly told Respondent she intended to divorce him, without any prior discussion or warning. Initially, she claimed her dissatisfaction stemmed solely from how he "talked" to her, only to expand her grievances to the entire marriage—including family vacations once touted as joyful. This immediate about-face suggests Petitioner was already laying the groundwork for her broader scheme.

20. *The Phone Records and AT&T Data*

By December 12, 2023, Respondent delved into the couple's joint AT&T account, recalling Petitioner's previous infidelity to seek answers given her unwillingness to communicate. The phone and text logs—registered under Petitioner's grandmother's name at the time—confirmed an enormous volume of messages with Price and Kazlauskas, rendering Petitioner's evolving divorce rationales unconvincing.

TEXT RECORDS (VOLUME)

The data from the text records are presented from a volume standpoint alone and does not contain the context of the messages. Given the sheer amount of communication that has taken place between the Petitioner, Price, and Kazlauskas – the context of the messages is overshadowed by the massive level of communication between these parties.

21. *The Text Dataset Structure*

The structure of the text data is presented in the following format found in the table below. Petitioner is aware of this discovery, and has been presented the charts below.

Column Name	Description	Details
SNO	Sequence number for each communication within the month. Resets at the beginning of each month.	Indicates the order of the communication within the month (e.g., SNO of 100 means the 100th communication in that month)
Date	Date of communication	Range: October 9, 2022 – December 21, 2023
Time	Time of communication (HH:MM format)	Exact time of each interaction
AM/PM	Specifies whether the communication occurred in the morning (AM) or afternoon/evening (PM)	AM/PM indicator
Contact	Name or phone number of the person involved in the communication	Top contacts are listed separately
Type	Specifies if the communication was Incoming or Outgoing	Direction of communication
Description	Further details about the communication (e.g., "Mobile to Mobile")	Communication method or mode

A true and accurate copy of these raw text logs can be found on file with the Clerk and was filed with the Emergency Motion for Reconsideration filed on February 8, 2024.

ANALYZING THE TEXT RECORDS

22. *Respondent's Data Expertise*

Respondent's professional background in data solutions allowed him to compile these logs into visually compelling evidence—demonstrating Petitioner's exponentially increasing communications with Price and Kazlauskas from late 2022 onward.

Each line tracks Petitioner's interactions with her top 25 contacts between **October 2022** and **December 2023**. The lines labeled "debbie" and "damen" soar above the rest, confirming tens of thousands of texts exchanged. A "flat line" appears after December 15, 2024—the same weekend **Dan Branthoover** purchased Petitioner a secondary phone, ostensibly for "protection," but in reality to hide her continuing communications.

FIGURE 1: TOTAL CUMULATIVE INTERACTIONS – TOP 25 CONTACTS

23. *Astonishing Communication Volume*

Over 10,000 messages with Debbie and more than 6,000 with Damen spell out a deeply involved relationship that overshadows all other contacts. In a typical marriage, one might expect the most communication to be with family, but here, it is with two outsiders—raising the strong inference of intimacy and influence.

24. *Disregard for Family Obligations*

The slope of these lines proves that Petitioner's daily communications revolved around these individuals, at the expense of her responsibilities as a spouse and mother. Once discovered, Petitioner hastened to block Respondent from accessing more evidence by obtaining a second phone.

25. *"Emotional Support" Doesn't Explain Away These Interactions*

No reasonable spouse would shrug off these communications as harmless. Damen is now a near-constant presence around the children. Petitioner cannot simply label this as "support" when the data proves a staggering level of day-and-night messaging on a daily basis.

FIGURE 2: PETITIONER'S TOTAL INTERACTIONS WITH TOP 25 CONTACTS – PIE CHART

26. *Nearly Half of All Texts to "debbie" and "damen"*

I. **FIGURE 2** above shows the percentage breakdown of all those messages across the top 25 contacts. The largest slices belong to "debbie" (27.3%) and "damen" (16.9%). That means nearly half of her text-message volume is dominated by just two individuals—neither of whom is

the spouse. The pattern diverges from the norm of spreading casual messages among many friends and relatives, especially when considering she would frequent the residence of Debbie Price where Damen Kazlauskas would be present 18 hours per week on average.

FIGURE 3 -UNUSUAL TIME-OF-DAY INTERACTIONS – TOP 25 CONTACTS

27. *Unusual Late-Night Messages*

FIGURE 3 zeroes in on overnight or early-morning texting patterns. We see that "damen" has over 2,000 messages between 10 PM and 6 AM. These are hours typically reserved for work or private time with one's spouse. Repeated overnight messaging to the same individuals points to late-night conversations, which might indicate romantic or intimate exchanges, or at the very least a strong emotional bond that compels this person to stay connected in the middle of the night. Such nocturnal communication is a classic warning sign

when exploring marital fidelity or emotional boundaries. Consistent late-night contact that dwarfs normal daytime communication with the spouse suggests secrecy or intimacy. This is especially concerning when you add in that the Petitioner would visit these individuals on average 18 hours per week leading up to the divorce announcement on December 1, 2023.

FIGURE 4

TEXTING FREQUENCY BY HOUR – TOP 25 CONTACTS

28. *All-Hours Engagement*

FIGURE 4 shows how message volume changes hour-by-hour across the entire day. Notice that some contacts see surges in messages early in the morning or late at night; others peak during midday. “debbie” and “damen” appear to have high levels of communication during typical sleeping hours and again in the morning, which could imply a pattern of continuous or recurring contact across day and night. Combined with the overnight activity from **FIGURE 3**,

we see consistent contact patterns that align with possible romantic or emotionally entangled behavior. Rarely do mere acquaintances demand such frequent or around-the-clock attention.

FIGURE 5 – DAILY INTERACTION TIMES WITH DEBBIE PRICE AND DAMEN KAZLAUSKAS

29. *Constant Communication Erodes Parenting*

FIGURE 5 illustrates the hourly distribution of interactions with Debbie and Damen, revealing that communication with these individuals was not limited to specific times of day but occurred almost constantly. The data highlights a consistent pattern of engagement across most waking hours, with significant activity spilling into late-night and early-morning periods—times traditionally reserved for rest, family, or private matters. The overwhelming focus on these individuals detracted from her time and energy for familial responsibilities, including her duties as a spouse and parent. This imbalance calls into question her priorities during this period, and

given the facts regarding her intentional deception, should call into question her ability to parent affectively when factored in together.

FIGURE 6: OUTLIER DETECTION

30. *Identifying Key Spikes*

In data analysis, an *outlier* is a data point that significantly differs from the rest of the dataset. It represents an unusual or extreme event that stands out from typical patterns or trends. Outliers often indicate anomalies, irregular behavior, or important events that warrant closer examination.

Here, outliers in the data correspond to events critical to Petitioner's agenda—such as December 12 (Respondent's discovery of these messages) and December 14 (her initial ex parte request). These spikes illustrate reactionary upticks in communication designed to manage or conceal her wrongdoing and appear in red and purple.

The evidence is clear and troubling. Data reveals a sustained and excessive pattern of communication between the Petitioner and Debbie Price and Damen Kazlauskas, far exceeding

casual relationships. These interactions, often late at night and early morning, detracted from her family responsibilities and raises serious concerns about her priorities and judgment.

31. *Introducing Strangers to the Children*

Adding to the concern, Kazlauskas is now frequently around the children and has taken them places alone—behavior that is unprecedented and raises questions about the appropriateness of his involvement, and is particularly sickening given he was rarely involved in their lives prior to this litigation commencing.

32. *Accountability in Silence*

Petitioner's refusal to address these factual allegations, and the failure of her counsel to defend the claims against her combined with her legal maneuvers evidences a strategy of obfuscation and evasion. This Court must not allow a litigant to exploit its processes for such improper ends.

IV. RELIEF AS A MATTER OF LAW

Despite Respondent's diligent, repeated pleas, the Court has yet to intervene. The record establishes a prima facie case for relief as a matter of law—no reasonable factfinder could view these undisputed facts and deny the injustice at hand. The current situation contradicts these mandates, as the children who once had continuous and frequent access to both parents now only have access to one.

Texas law prioritizes frequent, meaningful contact between children and both parents. Currently, the children see Petitioner's new associate (Kazlauskas) more than their own father, who has been shut out without any legitimate legal foundation. The Respondent urges the reviewing body of this document to swiftly restore justice and peace to the Children's lives.

V. CONCLUSION

Respondent was the primary caregiver for his children, yet on **January 16, 2024**, he was summarily ousted from their lives—based on Petitioner's fabricated affidavits and contradictory statements. The fiasco has destroyed the family's financial stability and subjected the children to confusion and distress. The Petitioner has lied to the Court, her own family, and, worst of all, her children. She has leveraged erroneous judicial rulings to further her clandestine relationships with Debbie Price and Damen Kazlauskas, evidencing a profound disregard for her children's needs. Time and again, Respondent has requested only transparency and proper procedure—yet time continues to pass, compounding the damage. The situation remains stuck where it began, with the Court's unexamined orders fueling Petitioner's unscrupulous agenda at the children's expense. This court now possesses all of the facts necessary to restore what has been wrongfully taken.

VI. PRAYER FOR EXPEDITED RELIEF

WHEREFORE, PREMISES CONSIDERED, Respondent **Charles Myers** respectfully requests this Court grant the following expedited relief, in line with the children's best interests:

1. Order Respondent's return to 6641 Anne Court, Watauga, Texas 76148, with the option for Petitioner to cohabit or move next door while Respondent transitions to nearby housing and re-establishes his business. This arrangement corrects the current unjust separation and ensures both parents remain available to the children during the pendency of the case.

2. The respondent respectfully requests that the court take notice that Petitioner's counsel has, at no point, engaged in discovery, conferred properly, or produced substantive filings in contravention of fundamental procedural rules.

3. Recognize Petitioner's unequivocal lies to the Court—her false claims of indigency, misrepresentations about protective orders, and reliance on outside assistance to engineer fraudulent pleadings.

4. Note that Petitioner converted joint-marital funds shortly before perjuring herself regarding alleged poverty. Such conduct warrants immediate dismissal or sanctions under Tex. Civ. Prac. & Rem. Code § 13.001.

5. Grant any additional relief, legal or equitable, that the Court deems just and proper under these extraordinary circumstances.

Respectfully submitted,

/s/ CHARLES DUSTIN MYERS
Charles Dustin Myers
6641 Anne Court, Watauga, TX 76148
Chuckdustin12@gmail.com
817-507-6562

CERTIFICATE OF SERVICE

Defendant, CHARLES DUSTIN MYERS, hereby certifies that on 01/13/24 a true and accurate copy of the Case Memo / Plea For Emergency Relief was served on the following parties via email and the Texas Supreme Court-approved electronic filing manager (EFM):

Cooper L. Carter (Counsel for Plaintiff)
Email: COOPERCARTER@MAJADMIN@COM

Morgan Michelle Myers (Plaintiff)
Email: MORGANMW02@GMAIL.COM

Holly L. Hayes, Texas Office of the Attorney General
Email: 914-filer@texas.oag.gov

Respectfully submitted,

/s/ Charles Dustin Myers

CHARLES DUSTIN MYERS
Pro-se
6641 Anne Court, Watauga TX, 76148
817-507-6562
Chuckdustin12@gmail.com

EXHIBIT 1

OVERDRAFT NOTICE FROM PNC BANK - DECEMBER 16, 2023. 5:01 A.M.

CLICK TO RETURN TO BRIEF 3 CLICK TO RETURN TO BRIEF

Gmail

Charlie Vids <chuckdustin12@gmail.com>

Low Cash Mode decisions are available.

noreply.pncalerts@pnc.com <pncalerts@pnc.com> Sat, Dec 16, 2023 at 5:01 AM
Reply-To: noreply.pncalerts@pnc.com
To: CHUCKDUSTIN12@gmail.com

PNC | Alert

Low Cash Mode - 3 decisions are available for your review.

Here's what's happening:

Low Cash Mode is on for your account ending in X8826. You have 3 decisions to review as of December 16, 2023 6:00 a.m. ET. Your Available Balance is -$822.14.

Here's what you need to do:

Sign on to the PNC Mobile app[1] to review your options.

Manage your alert settings in the PNC Mobile app.

[1] Standard message and data rates may apply.

About this email

Please do not reply to this email. This mailbox is not monitored.

This message was sent as a service email to inform you of a transaction or matter affecting your account. PNC will never ask you to send confidential information by unsecured email.

Contact Us Sign On Privacy Policy Security

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ALRDLC03 d70bfa3e-6c70-40fb-9361-f86d83ae62ea

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CLICK TO RETUN TO BRIEF 3 CLICK TO RETURN TO BRIEF

EXHIBIT 2

RESPONDENT'S REQUEST FOR THE $1,576 TRANSFERRED TO PETITIONER ON DEC. 15, 2023

12:15 34%

Me
3:54 PM, Dec 16

Dan, I'm going to need you to put the money back that i need to pay our bills and clear my account deficit.

I move money around all the time, which is evident in the transaction records and has always been in the best interest of all of us.

This most recent move was malicious and manipulative, and has negatively impacted our financial situation.

You should be trying to help resolve this - not further complicate it.

I can't order any presents this weekend for the girls.

I can't work due to mental anguish - also not good for the girls.

All I've done is try to explain that we should work on this - especially when you look at the
facts versus the narrative.

Morgan needs insurance on the car. My own insurance is

Message details

Type
Advanced Messaging

To
+19403123434

Time sent
3:54 PM, Dec 16

Status
Sent

OK

A CERTIFIED COPY
ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

12:15 34%

Me
3:54 PM, Dec 16

Dan, I'm going to need you to put the money back that i need to pay our bills and clear my account deficit.

I move money around all the time, which is evident in the transaction records and has always been in the best interest of all of us.

This most recent move was malicious and manipulative, and has negatively impacted our financial situation.

You should be trying to help resolve this - not further complicate it.

I can't order any presents this weekend for the girls.

I can't work due to mental anguish - also not good for the girls.

All I've done is try to explain that we should work on this - especially when you look at the
facts versus the narrative.

Morgan needs insurance on the car. My own insurance is now late. Water bill is late- which threatens our auto-pay setup.

Despite not understanding any of this and none of it making sense - I still have to do what's in the best interest for Morgan and the girls, as I always have so long as I was aware of what I needed to be working on.

There's still time to turn this around - hash it out, and realize that this family and those two girls and everything we've done are worth fighting for.

I'll keep trying until I can't.

We can still save Christmas.

Copy text Share More

A CERTIFIED COPY
ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

EXHIBIT 3

TEXT CONFIRMING MONEY TRANSFER TO PETITIONER ON DECEMBER 16, 2023

+19403123434

8:19 PM

Dec 16, 2023

She transferred money to her own account that you said was hers. End of discussion. Have a good evening.

8:20 PM

By the way, the money IS hers. Community property state.

8:21 PM

EXHIBIT 4

RESPONDENT'S BANK STATEMENT FROM DECEMBER, 2023, SHOWING THE TRANSACTION TO DANIEL BRANTHOOVER'S PAYPAL

Virtual Wallet Spend Statement

For 24-hour information,sign on to PNC Bank Online Banking on pnc.com

Account Number: [redacted] - continued

For the period 12/02/2023 to 01/02/2024
CHARLES MYERS
Primary account number: [redacted]

Banking/Debit Card Withdrawals and Purchases *- continued*

Date	Amount	Description
12/15	1.33	3117 Debit Card Purchase Paypal [redacted]
12/18	1,576.00	3117 Debit Card Purchase Paypal [redacted]
12/18	10.65	3117 Recurring Debit Card Microsoft*Xbox Game P
12/19	80.00	3117 Debit Card Purchase Google *Svcs753f2d7d-7
12/19	3.19	POS Purchase Google *Google Mountain Vie Ca
12/20	9.73	3117 Debit Card Purchase Prime Video *Zb2Ax6Hc3
12/20	1.00	3117 Debit Card Purchase Elevenlabs.Io
12/21	12.99	3117 Recurring Debit Card Abcmouse.Com*
12/21	38.86	3117 Debit Card Purchase DD Doordash Sonicdriv
12/21	80.00	3117 Debit Card Purchase Google *Svcs07659609-d
12/21	14.02	3117 Debit Card Purchase Wmt Plus Dec 2023
12/26	55.17	3117 Debit Card Purchase Amzn Mktp US*R35H22C73
12/26	138.38	3117 Debit Card Purchase Amzn Mktp US*Ui1Wh8M23
12/26	31.37	3117 Debit Card Purchase Amzn Mktp US*1I3TH8Gf3
12/26	15.14	3117 Recurring Debit Card Google *Youtubepremiu
12/26	80.72	3117 Recurring Debit Card Att*Bill Payment
12/26	188.35	3117 Recurring Debit Card Openai Httpsopenai C
12/26	52.89	3117 Recurring Debit Card Discord* 10Xserverboo
12/26	118.43	3117 Recurring Debit Card Klarna Klarna.Com
12/27	80.00	3117 Debit Card Purchase Google *Svcsd05bfd7b-1
12/28	25.40	3117 Debit Card Purchase Til*Pl Cicis 22 Hurst
12/28	20.00	3117 Debit Card Purchase Cicis Pizza 22 Arcade
12/28	16.85	3117 Debit Card Purchase Big Z Watauga Tx
12/28	6.99	3117 Recurring Debit Card Atom Finance, Inc.
12/28	2.10	3117 Debit Card Purchase Ism, Inc. DBA Airup
12/28	5.32	3117 Debit Card Purchase Amznfreetime*Xl50U2M73
12/29	10.00	3117 Debit Card Purchase Big Z Watauga Tx
12/29	17.16	3117 Debit Card Purchase Shell Oil 57543389001
12/29	2.80	3117 Debit Card Purchase Shell Oil 57543389001

Banking/Debit Card Withdrawals and Purchases continued on next page

EXHIBIT 5

TEXT MESSAGE EVIDENCE SHOWING THE PETITIONER RECEIVED HELP DRAFTING HER PLEADINGS

12:16 34%

+19403123434

8:10 PM 04:46

I'm not someone who takes lightly to threats or attempted intimidation.

Take care Charlie. I hope you make some good choices in the next few weeks. So far you're not showing you're capable.

8:18 PM

8:19 PM Voice messag...434_010.amr 00:30

She transferred money to her own account that you said was hers. End of discussion. Have a good evening.

8:20 PM

By the way, the money IS hers. Community property state.

8:21 PM

8:21 PM Voice messag...434_011.amr 00:50

8:22 PM Voice messag...434_012.amr 00:24

Charlie. I want to make this as clear as I can. You're getting divorced. Please hear that and absorb it. You are getting divorced. I hope I can help with the paperwork and make this go as easy as possible. That's up to you.

8:23 PM

8:24 PM Voice messag...434_014.a 00:27

EXHIBIT 6

TEXT MESSAGE EVIDENCE PROVING PETITIONER TRANSFERRED FUNDS TO HERSELF PRIOR TO HER CLAIMS OF INDIGENCY MADE UNDER OATH

Dan Branthoover
Saturday, December 16, 2023
Charlie. I want to make this as clear as I can. You're getting divorced. Please hear that and absorb it. You are getting divorced. I hope I can help with the paperwork and make this go as easy as possible. That's up to you.
8:23 PM
Charlie. The money is in her checking account. Please take some time and speak to an attorney. Get some good solid advice. Have a good evening.
8:24 PM

9:57 17%

My Wife

You're implying that there's more you haven't told me about, yet demanding the $1,576 I transferred to make sure it didn't go somewhere that I can't access..

10:03 PM

Tuesday, December 19, 2023

The only thing filed is a petition for divorce. It's not an actual agreement. All of the details that we need to sit down and agree on will officially happen in 61 days.

5:22 PM

Friday, December 22, 2023

Read 7:50 PM

EXHIBIT 7

EXCERPTS OF DOCUMENTS PREPARED BY PETITIONER AND DANIEL BRANTHOOVER IN YUKON OKLAHOMA CONTAINING KNOWINGLY FALSE STATEMENTS

REQUIREMENTS FOR UNCONTESTED CASES INVOLVING SELF REPRESENTED LITIGANT WITH CHILDREN

THE COURT REQUIRES YOU SUBMIT A COPY OF YOUR PAPERWORK TO THE DRO ON THE 2ND FLOOR OF THE FAMILY LAW CENTER OR AT DRO-Legal@tarrantcountytx.gov

An attorney employed by Tarrant County will review your paperwork. This process will ensure that the form of your order meets the Court's standards. The attorney does not represent you or your spouse. The attorney will not give you legal advice. The attorney will inform you of the policies and preferences of the Court and will work with you to meet the court's expectations. Providing information does not constitute an attorney client relationship between you and the DRO. You may seek independent legal counsel at any time. You may also consult www.texaslawhelp.org for legal information. By signing below, you acknowledge the purpose of this service to the court and understand the instructions as outlined below.

Petitioner's Signature M. Ly **Date:** 12/18/2023

Phone Number (817) 940-0852 **Cause No.** 322 744263 23

Petitioner's Email morwil31@gmail.com

THE ATTORNEY WILL ONLY REVIEW UNCONTESTED CASES

AGREED: Your case is uncontested if you and the other party agree on all terms of the case OR

DEFAULT: Your case is uncontested if you meet all requirements for a default judgment

FILED TARRANT COUNTY 2023 DEC 18 AM 10:51 THOMAS A. WILDER DISTRICT CLERK

BEFORE YOU SEND IN THE PAPERWORK, YOU MUST DO THESE THINGS:

1) **Show the Court that the other party has notice of the lawsuit by either:**
   a. Getting the other party to sign, notarize, and file a Waiver of Service with the Court, **OR**
   b. Getting the other party to file an Answer with the Court, **OR**
   c. Getting the other party formally served with the paperwork by either:
      i. Getting the constable or a private process server to serve the other party, **OR**
      ii. Getting the Court to approve a method of alternative service, and then proving to the Court that you have fulfilled the requirements for that alternative service,
      NOTE: If you serve your spouse by publication, there are many steps that must be completed. Please see https://texaslawhelp.org/article/service-by-publication-when-you-cant-find-the-other-parent.

2) **Complete the mandatory waiting period before submitting your final paperwork.**
   a. In divorce cases, you MUST wait 60 days after you filed the petition.
   b. In other default cases, you may have to wait 27 days after service was completed.

WHEN YOU SEND IN THE PAPERWORK, DO THESE THINGS:

1) Leave a completed Final Order on 2nd floor of Family Law Center or email to DRO-legal@tarrantcountytx.gov
2) Include a possession schedule. You can find templates at texaslawhelp.org.
3) Include an Austin Form.
4) Include a signed copy of this document with your case information on it.
5) Include a copy of any prior orders involving the children.
6) For default judgements, include proof of service as filed with the court, a signed Certificate of Last Known Address, and a signed Military Status Affidavit.
7) If your case involves child support, include both a completed Record of Child Support and Income Withholding Order.
8) **Only scanned copies will be accepted. Photos of the paperwork will be rejected.**

AFTER YOU SEND IN THE PAPERWORK: An attorney or Legal Support Officer will contact you in around 10 days to start the review. After the review is complete, the attorney will forward your paperwork to the judge for approval or give you further instructions on how to present your paperwork to the Court.

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

AVISO: ESTE DOCUMENTO CONTIENE INFORMACIÓN CONFIDENCIAL

FILED
TARRANT COUNTY
2023 DEC 18 AM 10:43
ANNA WILDER
DISTRICT CLERK

Statement of Inability to Afford Payment of Court Costs or an Appeal Bond

Declaración sobre Incapacidad de Pago de Costas de Tribunal o de una Fianza de Apelación

Cause Number
Número de Caso 322 744263 23

The Clerk's office will fill in the Cause Number when you file this form.

El Secretario del Tribunal anotará el Número de Caso cuando usted presente este formulario.

MORGAN MICHELLE MYERS

v.

CHARLES DUSTIN MYERS

Copy information listed at the top left of the petition here.

Copie aquí la información ubicada en la parte superior izquierda del escrito de la demanda.

Copy information listed at the top right of the petition here.

Copie aquí la información ubicada en la parte superior derecha del escrito de la demanda.

Court Number
Número del Tribunal

TARRANT, Texas
County
Condado

- ☒ District Court / Tribunal de Distrito
- ☐ County Court / Tribunal del Condado
- ☐ County Court at Law / Tribunal Estatutario
- ☐ Justice Court / Juzgado de Paz
- ☐ Probate Court / Juzgado Sucesorio

AFFIDAVIT OF INABILITY

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

1. Your Information / Su Información

- My full legal name is / Mi nombre legal completo es

  MORGAN MICHELLE MYERS

  First Middle Last / Nombre de Pila Segundo Nombre Apellido

- My date of birth is / Mi fecha de nacimiento es

  [redacted]

  Month Day Year / Mes Día Año

- My address is / Mi dirección es

  Home / Domicilio 6641 ANNE CT WATAUGA, TX 76148

  Mailing / Dirección Postal SAME AS ABOVE

- My phone number / Mi número telefónico (817) 940-0852

- My email I check often / Mi correo electrónico que reviso con frecuencia

  morwil31@gmail.com

Go to next page

Pase a la siguiente página

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

2. About My Dependents / Mis Dependientes

"The people who depend on me financially are listed below." **Use initials only for children under 18.** If needed, attach a separate piece of paper to list more dependents.

"Las personas a continuación dependen económicamente de mí." **Use iniciales para los menores de 18 años** y, si es necesario, anexe una hoja por separado para enumerar a todos sus dependientes.

Name Nombre	Age Edad	Relationship to me Parentesco Conmigo
[redacted]	7	DAUGHTER
[redacted]	5	DAUGHTER

3. Are you represented by Legal Aid? ¿Está siendo representado por alguna entidad de asistencia legal?

Check only one box. Seleccione solo una casilla.

☐ I am being represented in this case for free by an attorney who works for a legal aid provider or who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as "Exhibit: Legal Aid Certificate."

Me está representando gratuitamente un abogado que trabaja para una entidad de asistencia legal o que recibió mi caso de una entidad de asistencia legal. El certificado que la entidad de asistencia legal me entregó lo adjunto bajo el título, "Anexo: Certificado de Asistencia Legal."

or / o

☒ I am not represented by legal aid.

No me está representando ninguna entidad de asistencia legal.

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

4. Public Benefits / Beneficios de Asistencia Pública

➢ Do you or any of your dependents receive public benefits?
¿Recibe usted o sus dependientes beneficios de asistencia pública?

☐ Yes / *Sí* ☒ No / *No*

➢ If you answered yes, check all that apply and attach proof to this form, such as a copy of an eligibility form or check.

Si respondió con un Sí, marque todas las casillas que apliquen y adjunte a este formulario comprobantes, tales como una copia de la carta autorizando que reciba estos beneficios o una copia del cheque que recibe.

☐ Food stamps/SNAP
Cupones de comida/SNAP

☐ TANF

☐ Medicaid

☐ CHIP

☐ SSI/SSDI

☐ WIC

☐ Lifeline

☐ Public Housing or Section 8 Housing
Asistencia de Vivienda / Programa de Vivienda bajo Sección 8

☐ Low-Income Home Energy Assistance
Asistencia con Energía Eléctrica

☐ Community Care via HHS
Ayuda Comunitaria bajo HHS

☐ LIS in Medicare ("Extra Help")
Subsidio Adicional de Medicare bajo el Programa LIS

☐ Needs-based VA Pension
Pensión para Veteranos de Guerra en función a necesidades

☐ Child Care Assistance under Child Care and Development Block Grant
Asistencia con Guardería bajo el Programa CCDBG

☐ County Assistance, County Health Care, or General Assistance (GA)
Asistencia del Condado, Asistencia Médica del Condado, o Asistencia General (GA)

☐ Other / Otros beneficios

_____

☐ Other / Otros beneficios

_____

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

5. What are your monthly income sources? ¿Cuáles son sus fuentes de ingresos mensuales?

- My **take-home** pay is $ 744 in monthly wages.

  Mi **pago neto** es $_____ en sueldo mensual.

- I work as a PART-TIME RECREATION ASSISTANT (your job title) for CITY OF WATAUGA (your employer).

  Yo trabajo como _____ (título de su puesto) para _____ (compañía o jefe).

- $ 744 is my total **monthly** income / son mis ingresos totales **al mes**.

These are my income sources. Estas son mis fuentes de ingresos.

- $ Ø in unemployment / en beneficios de desempleo.

  I have been unemployed since N/A (date).

  He estado desempleado desde _____ (indique fecha).

- $ Ø in public benefits / en beneficios de Asistencia Pública.

- $ Ø from people in my household other than my spouse / de ingresos de otras personas en mi hogar que no son de mi cónyuge.

- $ Ø from retirement or pension / de jubilación o pensión.

- $ Ø from tips or bonus / de propinas o bonos.

- $ Ø from disability / de discapacidad.

- $ Ø from worker's comp / de compensación al trabajador.

- $ Ø from social security / de seguro social.

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

- $ Ø from military housing / de vivienda militar.
- $ Ø from dividends, interest, or royalties / de dividendos, intereses, o regalías.
- $ Ø from child or spousal support / de manutención de menores o manutención conyugal recibida.
- Answer only if your spouse is not your opponent. Responda tan sólo si su ccónyuge no es parte contraria en esta causa legal.$ Ø from my spouse's income / de ingresos de mi cónyuge.
- $ Ø from other jobs/sources of income / de *otros* trabajos/ fuentes de ingresos.

  Describe / describa:

  _____

  _____

Go to next page

Pase a la siguiente página

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

6. What is the value of your assets or property? ¿Cuál es el valor de sus bienes o propiedades?	
My property includes: Mis bienes incluyen:	Value / Valor The value is the amount the item would sell for less the amount you still owe on it, if anything. El valor de sus bienes es la cantidad por la que la propiedad o pertenencia se vendería, menos el monto que aún se adeuda, si lo hubiera.
➢ Cash Dinero en efectivo	$ Ø
➢ Bank accounts, other financial assets Cuentas bancarias, otros bienes financieros	
CHASE BANK	$ 21.00
	$
	$
➢ Cars and boats (make and year) Automóviles, lanchas (modelo y año)	
MAZDA CX5 2023	$ 451.00 / MONTH
	$
	$
➢ Other property like jewelry, stocks, land, a second house. (Do not list your homestead.) Otros bienes como joyas, acciones, terrenos, una segunda casa. (No indique su hogar familiar.)	
N/A	$
	$
	$
Total Value of Property **Valor Total de Sus Bienes**	$ 371

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

7. What are your monthly expenses that are not deducted from your paycheck? ¿Cuáles son sus gastos mensuales que no son descontados de su cheque de sueldo?	
My monthly expenses are: Mis gastos mensuales son:	Amount Cantidad
➢ Rent/house payments; maintenance Alquiler/hipoteca; mantenimiento de casa	$ 800
➢ Food and household supplies Alimentos y artículos para el hogar	$ 300
➢ Utilities and telephone Luz, gas, agua y teléfono	$ 510
➢ Clothing and laundry Ropa y lavado de ropa	$ Ø
➢ Medical and dental expenses Gastos médicos y dentales	$ Ø
➢ Insurance (life, health, auto, etc.) Seguros (de vida, médico, de automóvil etc.)	$ Ø
➢ School and childcare Escuelas y guarderías	$ Ø
➢ Transportation, auto repair, gas Transportación, reparaciones de automóviles, gasolina	$ Ø
➢ Child/Spousal support Manutención a Menores/Manutención Conyugal	$ Ø
➢ Debt payments to (list): Pagos por deudas hechas a (indíquelos):	
N/A	$
	$
➢ Wages withheld by court order Sueldo retenido por orden judicial	$ Ø
➢ Other expenses (list): Otros gastos (indíquelos):	
N/A	$
	$
Total Monthly Expenses Gastos Totales Mensuales	$ 1,610

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

8. Are there debts or other facts explaining your financial situation? ¿Hay deudas u otros factores que expliquen su situación económica?

My debts include (list debt and amount owed):
Mis duedas incluyen (indique deuda y la cantidad que debe):

MAZDA CXS 2023	$ 451 / MONTH
MAZDA CX3 2021	$ 368 / MONTH
	$
	$
	$

If you want the court to consider other facts, such as unusual medical expenses, family emergencies, etc., attach another page to this form labeled "Exhibit: Additional Supporting Facts."

Si usted desea que el tribunal considere otros factores, tales como gastos médicos excepcionales, emergencias familiares, etc., adjunte al formulario otra hoja con esta información y bajo el título, "Anexo: Información Adicional de Apoyo."

9. Ability to Pay Court Costs. Declaración sobre su Habilidad de Pagar Costas de Tribunal

Check only one box. Seleccione tan solo una casilla.

- ☒ I cannot afford to pay court costs. No puedo pagar las costas de tribunal.
- ☐ I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision, and I cannot afford to pay court costs.

  No puedo aportar una fianza de apelación ni pagar un depósito en efectivo para apelar la decisión judicial de un magistrado, y no puedo pagar costas de tribunal.

Go to next page

Pase a la siguiente página

10. Declaration/Affidavit. Declaración Escrita Bajo Juramento.

Fill out **only one** box. If you fill out the Declaration, you will not need to sign the form in front of a notary public. If you do not want to list your address for privacy or safety concerns, take the form and photo identification, and fill out the Affidavit box in front of a notary public.

Llene tan **solo una** opción. Si usted llena la Declaración, no necesitará firmar el formulario ante un notario. Si usted no quiere que aparezca su domicilio en el documento para conservar su privacidad o por motivos de su seguridad, lleve el formulario y una identificación con fotografía y llene la sección de la Declaración Escrita Bajo Juramento ante un Notario.

Go to next page

Pase a la siguiente página

Option 1 / Opción 1

Declaration: I declare under penalty of perjury that the foregoing is true and correct.

Declaración: Yo declaro bajo pena de perjurio que la información a continuación es correcta y verdadera.

- My name is / Mi nombre es

MORGAN MICHELLE MYERS

- My date of birth is / Mi fecha de nacimiento es

[redacted]

- My address is / Mi domicilio es

6641 ANNE CT WATAUGA, TX 76148

Street, city, zip, country
Calle y número, ciudad, estado, código postal, pais

- Signature
Firma

- 12/18/2023

Date (month, day, year)
Fecha (mes, día, año)

- TARRANT, TX

County, state
Condado, estado

Go to next page

Pase a la siguiente página

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

Option 2 / Opción 2

Affidavit: I swear under penalty of perjury that the foregoing is true and correct.

Declaración Escrita Bajo Juramento: Yo juro bajo pena de perjurio, que lo que precede es correcto y verdadero.

You fill out this section.
Usted llena esta sección.

➢ MORGAN MICHELLE MYERS
Your printed name
Su nombre en letra de molde

➢ _____
Your signature
Su firma

The notary fills out this section.
El Notario llena esta sección.

➢ _____

Subscribed before me this day of
Juramentado y suscrito ante mí el día de hoy del mes de

_____, 20____

_____
NOTARY
NOTARIO

Approved by the Supreme Court of Texas in Misc. Docket No. 22-9090

CLICK TO RETURN TO BRIEF 30 CLICK TO RETURN TO BRIEF

Cause No.: 322 744538 23

Applicant: MORGAN MICHELLE MYERS § In the DISTRICT Court

v. § of

Respondent: CHARLES DUSTIN MYERS § TARRANT County, Texas

FILED TARRANT COUNTY 2023 DEC 22 PM 3:17 THOMAS A. WILDER DISTRICT CLERK

Application for Protective Order

1 Parties

Name: County of Residence:

Applicant: MORGAN MICHELLE MYERS TARRANT

Respondent: CHARLES DUSTIN MYERS TARRANT

Respondent's address for service: 6641 ANNE CT WATAUGA, TX 76148

Check all that apply:

- ☑ The Applicant and Respondent are or were members of the same family or household.
- ☑ The Applicant and Respondent are parents of the same child or children.
- ☐ The Applicant and Respondent used to be married.
- ☐ The Applicant and Respondent are or were dating.
- ☐ The Applicant is an adult asking for protection for the Children named below from child abuse and/or family or dating violence.
- ☐ The Applicant is dating or married to a person who was married to or dating the Respondent.

2 Children: The Applicant is asking for protection for these Children under age 18:

	Name:	Is Respondent the biological parent?		County of Residence:
a.	[redacted]	☑ Yes	☐ No	TARRANT
b.	[redacted]	☑ Yes	☐ No	TARRANT
c.		☐ Yes	☐ No	
d.		☐ Yes	☐ No	

Check all that apply:

- ☐ Other children are listed on a sheet attached to this Application.
- ☑ The Children are or were members of the Applicant's family or household.
- ☐ The Children are the subject of a court order affecting access to them or their support.

3 Other Adults: The Applicant is asking for protection for these Adults, who are or were members of the Applicant's family or household, or are in a dating or marriage relationship with the Applicant.

	Name:	County of Residence:
a.		
b.		

4a Other Court Cases: Are there other court cases, like divorce, custody, support, involving the Applicant, Respondent, or the Children?

☑ Yes ☐ No

If "Yes," say what kind of case and if the case is active or completed.

DIVORCE - ACTIVE

If "completed," (*check all that apply*): ☐ A copy of the final order is attached.

☐ A copy of the final order will be filed before the hearing on this Application.

☐ The Texas Office of the Attorney General Child Support Division has been involved with a child support case. List the agency case number for each open case, if known. Case Number:

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

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4b Presumption of Family Violence: Has the Respondent ever been convicted of or placed on deferred adjudication community supervision for any crime under Title 5 or Title 6 of the Texas Penal Code? (see list of crimes at the end of the kit)

☐ Yes ☑ No

If "Yes," say what kind of case:

_____

If the Respondent was convicted or placed on community supervision for a Title 5 crime, did the Court make a finding that the crime involved family violence?

☐ Yes ☐ No

Was the crime against a child listed in this petition under Number 2 "Children"?

☐ Yes ☐ No

Have the Respondent's parental rights to this child been terminated?

☐ Yes ☐ No

Is the Respondent seeking or attempting to seek contact with this child?

☐ Yes ☐ No

5 Grounds: Why is the Applicant asking for this Protective Order? Check one or both:

☒ The Respondent committed family violence.

☐ The Respondent violated a prior Protective Order that expired, or will expire in 30 days or less. A copy of the Order is (*check one*): ☐ Attached, or ☐ Not available now but will be filed before the hearing on this Application

The Applicant requests a PROTECTIVE ORDER and asks the Court to make all Orders marked with a check ✔

6 ✔ Orders to Prevent Family Violence

The Applicant asks the Court to order the Respondent to (*Check all that apply*):

a. ✔ Not commit family violence against any person named on page 1 of this form.

b. ☑ Not communicate in a threatening or harassing manner with any person named on page 1 of this form.

c. ☑ Not communicate a threat through any person to any person named on page 1 of this form.

d. ☑ Not communicate or attempt to communicate in any manner with (*Check all that apply*):
☑ Applicant ☐ Children ☐ Other Adults named on page 1 of this form.
The Respondent may communicate through: _____ or other person the Court appoints. Good cause exists for prohibiting the Respondent's direct communications.

e. ☑ Not go within 200 yards of the (*Check all that apply*):
☑ Applicant ☐ Children ☐ Other Adults named on page 1 of this form.

f. ☑ Not go within 200 yards of the residence, workplace, or school of the (*Check all that apply*):
☑ Applicant ☐ Other Adults named on page 1 of this form.

g. ☑ Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.

h. ☑ Not stalk, follow, or engage in conduct directed specifically to anyone named on page 1 of this form that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them, including tracking or monitoring a car or other property.

The Applicant asks the Court to:

i. ☐ Suspend any license to carry a handgun issued to the Respondent by the State of Texas.

j. ☑ Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor; and pay all costs for the counseling or treatment ordered.

k. ☐ Prohibit the Respondent from taking, harming, threatening, or interfering with the care, custody, or control of the following pet, companion animal, or assistance animal: _____ (describe the animal).

l. ☐ Require the Respondent to follow these provisions to prevent or reduce the likelihood of family violence:

_____

The law requires a trial court issuing a protective order to prohibit the Respondent from possessing a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a swo[illegible] paid employee of a state agency or political subdivision.

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

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7 ☒ **Property Orders**

The Residence located at: 6641 ANNE CT WATAUGA, TX 76148

(*Check one*): ☒ is jointly owned or leased by the Applicant and Respondent;
☐ is solely owned or leased by the Applicant; or
☐ is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Applicant also asks the Court to make these orders (*Check all that apply*):

☒ The Applicant to have exclusive use of the Residence identified above, and the Respondent must vacate the Residence.

☒ The sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.

☒ The Applicant to have exclusive use of the following property that the Applicant and Respondent jointly own or lease:
6641 ANNE CT WATAUGA, TX 76148

☒ The Respondent must not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly owned or possessed by the parties (whether so titled or not).

8 ☒ **Spousal Support Order**

The Applicant is married to the Respondent or otherwise legally entitled to support from the Respondent and asks the Court to order the Respondent to pay support in an amount set by the Court.

9 ☒ **Orders Related to Removal, Possession, and Support of Children**

The Respondent is a parent of the following of the Applicant's children: [redacted]

And, the Applicant asks for these Orders in the best interest of the people named on page 1 of this form.
Check all that apply:

☒ The Respondent must not remove the children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule entered by the Court.

☒ The Respondent must not remove the children from the jurisdiction of the Court.

☒ Establish or modify a schedule for the Respondent's possession of the Children, subject to any terms and conditions necessary for the safety of the Applicant or the Children.

☒ Require the Respondent to pay child support in an amount set by the Court.

10 ✔ **Temporary Ex Parte PROTECTIVE ORDER**

Based on the information in the attached Affidavit or Declaration, there is a clear and present danger of family violence that will cause the Applicant, Children, or Other Adults named on page 1 of this form immediate and irreparable injury, loss, and damage, for which there is no adequate remedy at law. Applicant asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice, or hearing.

11 ☒ **Ex Parte Order: Vacate Residence Immediately**

The Applicant now lives with the Respondent at: 6641 ANNE CT WATAUGA, TX 76148 or has resided at this Residence within the 30 days prior to filing this Application. The Respondent committed family violence against a member of the household within the 30 days prior to the filing of this Application, as described in the attached Affidavit or Declaration. There is a clear and present danger that the Respondent is likely to commit family violence

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DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Cause Number: 322 744263 23

FILED TARRANT COUNTY 2023 DEC 18 AM 10:43 THOMAS A. WILDER DISTRICT CLERK

In the Matter of the Marriage of

In the _____ (Court Number)

Petitioner: Morgan Michelle Myers
Print first, middle and last name of the spouse who filed for divorce.

And

☒ District Court
☐ County Court at Law

Respondent: Charles Dustin Myers
Print first, middle and last name of other spouse.

Tarrant County, Texas

And in the Interest of:
(Print the initials of each child you and your spouse have together who is under 18 or still in high school.)

1. [redacted] 2. [redacted] 3. _____
4. _____ 5. _____ 6. _____

Original Petition for Divorce

Print your answers.

My name is: Morgan Michelle Myers
First Middle Last

I am the **Petitioner**, the person asking for a divorce.

The last three numbers of my driver's license number are [redacted]..... My driver's license was issued in (State): Texas.

or ☐ I do not have a driver's license number.

The last three numbers of my social security number are: [redacted]

or ☐ I do not have a social security number.

My spouse's name is: Charles Dustin Myers.
First Middle Last

My spouse is the **Respondent**.

1. Discovery Level

The discovery level in this case, if needed, is Level 2.

2. Legal Notice (Check one box.)

☐ I think my spouse will sign a Waiver of Service (or Answer). Do not send a sheriff, constable, or process server to serve my spouse with a copy of this Petition for Divorce at this time.

☑ I will have a sheriff, constable, process server or clerk serve my spouse with this Petition for Divorce here:
6641 Anne Court, Watauga, Texas 76148.
Street Address City State Zip

If this is a work address, name of business:_____.

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to my spouse by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a Statement of Inability to Afford Payment of Court Costs if I am unable to pay the fee) and **arrange for service**.

☐ I cannot find my spouse. I ask that my spouse be served by publication. I understand I must file an Affidavit for Citation by Publication and hire a lawyer to serve as attorney ad litem for m

AFFIDAVIT OF INABILITY

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

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9. Protective Order Statement (Check the appropriate boxes. Fill in the requested information.)

9A. No Protective Order

☐ I **do not** have a protective order against my spouse and I have not asked for one.

☐ My spouse **does not** have a protective order against me and has not asked for one.

9B. Pending Protective Order

☑ I **have** filed paperwork at the courthouse asking for a protective order against my spouse, but a judge has not decided if I should get it. I asked for a protective order on 12/14/2023 (Date Filed)

In Tarrant (County) County, Texas (State). The cause number is _____ (Cause Number).

If I get a protective order, I will file a copy of it before any hearings in this divorce.

☐ My spouse **has** filed paperwork asking for a protective order against me, but a judge has not decided if my spouse will get it. My spouse asked for a protective order on _____ (Date Filed)

in _____ (County) County, _____ (State). The cause number is _____ (Cause Number).

If my spouse gets a protective order, I will file a copy of it before any hearings in this divorce.

9C. Protective Order in Place

☐ I **do have** a protective order against my spouse. I got the protective order in _____ (County) County, _____ (State) on _____ (Date Ordered).

The cause number for the protective order is _____ (Cause Number).

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

☐ My spouse **does have** a protective order against me. The protective order was made in _____ (County) County, _____ (State) on _____ (Date Ordered).

The cause number for the protective order is _____ (Cause Number).

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

10. Waiver of Waiting Period Based on Family Violence (Check only if applicable.)

☑ I ask the Court to waive the 60-day waiting period for divorce because: (Check one box.)

☐ My spouse has been convicted of or received deferred adjudication for a crime involving family violence against me or a member of my household.

☑ I have an active protective order or an active magistrate's order for emergency protection against my spouse because of family violence during our marriage. The order includes a finding that my spouse committed family violence.

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

EXHIBIT 8

THE RESULTING ORDER FROM THE PETITIONER'S FRAUDULENT PLEADINGS

322ND FAMILY DISTRICT COURT

~~ASSOCIATE JUDGE'S REPORT~~ Rendition

FILED
TARRANT COUNTY
1/17/2024 2:28 PM
THOMAS A. WILDER
DISTRICT CLERK

CAUSE NUMBER: 322 - 744538-23
322- 744263-23

ITMOTMO/INRE

Morgan M. Myers

vs

Charles D. Myers

§ IN THE DISTRICT COURT
§
§ TARRANT COUNTY, TEXAS
§
§ 322ND JUDICIAL DISTRICT

RESET DATE AND TIME: January 22, 2024 at 9:00 am

1. Appearances:

☑ Petitioner/Movant appeared in person and ~~by attorney~~ Pro Se

☑ Respondent appeared in person and ~~by attorney~~ Pro Se

☐

2. Issue(s): ☐ Custody ☐ Visitation ☐ Child Support ☐ Health Insurance ☐ CPS

☐ (Property and Conservatorship)

3. Order(s) or Agreement(s): The Wife will remain in the house temporarily. Case is set next Monday, January 22, 2024 at 9:00am. The husband shall vacate the house by 2:00 p.m January 16, 2024. Mother to have possession of the children until the time of the hearing. Cause # 322-744538-23 is consolidated into Cause # 322-744263-23.
Continuance granted.

AGREED AS TO FORM AND SUBSTANCE:

Attorney for Petitioner

Attorney for Respondent

Petitioner

Respondent

SO ORDERED:

James B Munford

322nd ~~Associate~~ Judge

1-16-2024

Date

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THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz