

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

**Morgan Michelle Myers,**

Petitioner,

v.

**Charles Dustin Myers,**

Respondent

2025-03-06

UN-OPPOSED MOTION TO DISMISS  
FOR LACK OF JURISDICTION

**TO THE HONORABLE COURT:**

**COMES NOW, CHARLES DUSTIN MYERS, Respondent, appearing pro se, and  
files this Motion to Dismiss for Lack of Jurisdiction, respectfully stating as follows:**

**I. STATEMENT OF FACTS**

1. Respondent removed this case to the United States District Court pursuant to 28 U.S.C. §1446(d) on December 2, 2024, immediately suspending state court jurisdiction upon removal.
2. Following subsequent remand from the federal court, jurisdiction would only resume in state court upon filing a certified Notice of Remand pursuant to 28 U.S.C. §1447(c).
3. No such certified Notice of Remand has been filed with the Clerk of this Court as required by federal law, nor has Respondent been properly served with such notice.

4. Petitioner and her counsel are procedurally unable to file or serve the required certified Notice of Remand electronically through the mandated Electronic Filing Manager ("EFM"), violating mandatory filing and service procedures as required by Texas Rule of Civil Procedure 21(f).
5. Additionally, current judicial recusal proceedings under Texas Rules of Civil Procedure 18a and 18b place jurisdictional authority for administrative issues with the Regional Presiding Judge, suspending any substantive authority by the trial court pending resolution.
6. Due to these facts, state court jurisdiction remains suspended and cannot lawfully proceed.
7. Because COOPER L. CARTER cannot properly serve documents via the electronic filing manager as required by law, she is unable to fulfill her obligations pursuant to Tex. R. Civ. P. 237a.
8. Because COOPER L. CARTER cannot oppose this motion, it should be granted immediately and without the necessity of a hearing given all facts presented herein are undisputed.

#### **REQUEST FOR RELIEF**

WHEREFORE, Respondent respectfully requests that this Court:

1. GRANT this Motion to Dismiss for Lack of Jurisdiction, without hearing, as the jurisdictional facts and law are undisputed and clearly evidenced in the existing record;
2. Dismiss all current actions and filings due to suspended jurisdiction; and

3. Provide all other relief the Court deems appropriate.

Respectfully Submitted,

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS  
6641 ANNE COURT  
WATAUGA, TEXAS 76148  
[CHUCKDUSTIN12@GMAIL.COM](mailto:CHUCKDUSTIN12@GMAIL.COM)  
817-546-3693  
PRO SE

### CERTIFICATE OF SERVICE

Respondent, Charles Dustin Myers, hereby certifies that a true and correct copy of the foregoing MOTION TO DISMISS FOR LACK OF JURISDICTION was served on Petitioner's counsel of record, **Cooper L. Carter**, via the via email to **cooperlcarter@majadmin.com** (email address on file) on this 6<sup>th</sup> day of March, 2025, in accordance with the Texas Rules of Civil Procedure and to Petitioner, **MORGAN MICHELLE MYERS**, through the Electronic Filing Manger in accordance with Texas Rules of Civil Procedure 21a to her email address **MORGANMW02@GMAIL.COM**.

/s/ Charles Dustin Myers  
**CHARLES DUSTIN MYERS**  
6641 Anne Court  
Watauga, Texas 76148  
ChuckDustin12@gmail.com  
817-546-3693  
**Pro Se**

### **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.

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Status as of 3/7/2025 9:21 AM CST

#### Case Contacts

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