

DKT (63)



ORD FOR W/D OF ATTORNEY BACALIS

FILED ON: 02/12/2024

FEE: \$0.00

FILER/REQUESTOR: N/A

322-744263-23

CAUSE NO. 322-744263-23

FILED
TARRANT COUNTY
2/12/2024 4:31 PM
THOMAS A. WILDER
DISTRICT CLERK

IN THE MATTER OF THE	§	IN THE DISTRICT COURT
MARRIAGE OF	§	
	§	
MORGAN MICHELLE MYERS	§	
AND	§	322ND JUDICIAL DISTRICT
CHARLES DUSTIN MYERS	§	
	§	
AND IN THE INTEREST OF	§	
MARA EVONNE MYERS AND	§	
C [REDACTED] ROSE MYERS,	§	
CHILDREN	§	TARRANT COUNTY, TEXAS

ORDER FOR WITHDRAWAL OF ATTORNEY

After reviewing the Motion for Withdrawal of Attorney filed by Daniel R. Bacalis, P.C. on February 6, 2024, the Court **ORDERS** that the Motion is **GRANTED**.

The Court finds that the Motion is not made for delay and that there is good cause to allow Daniel R. Bacalis to withdraw as attorney for CHARLES DUSTIN MYERS.

The Court further finds that CHARLES DUSTIN MYERS agrees and consents to the withdrawal by Daniel R. Bacalis, P.C.

The Court finds that there is no attorney substituting in as counsel for CHARLES DUSTIN MYERS at this time. The Court further finds that a copy of the Motion for Withdrawal of Attorney was delivered to CHARLES DUSTIN MYERS, [REDACTED], Watauga, TX [REDACTED] by email at chuckdustin12@gmail.com.

The Court further finds that CHARLES DUSTIN MYERS was notified in writing of the right to object to the Motion.

The Court further finds that there are no pending settings or deadlines in this case.

IT IS ORDERED that Daniel R. Bacalis is discharged from further representing CHARLES DUSTIN MYERS as the attorney in charge in this suit. **IT IS FURTHER ORDERED** that Daniel R. Bacalis shall immediately notify CHARLES DUSTIN MYERS in writing of any additional settings or deadlines of which Daniel R. Bacalis has knowledge and has not notified CHARLES DUSTIN MYERS.

SIGNED on February 8 2024.

Associate 
JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

Daniel R. Bacalis PC
669 Airport Freeway
Suite 307
Hurst, TX 76053
Tel: 817-498-4105
Fax: 817-282-0634

/s/ Daniel R. Bacalis

Daniel R. Bacalis
Attorney for CHARLES DUSTIN MYERS
State Bar No: 01487550
Email: dbacalis@dbacalis.com

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: 84423007
Filing Code Description: No Fee Documents
Filing Description: ORD FOR W/D
Status as of 2/13/2024 8:49 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Cooper L.Carter		coopercarter@majadmin.com	2/12/2024 4:31:39 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Bacalis		service@dbacalis.com	2/12/2024 4:31:39 PM	SENT
Tammy L.Johnson		tjohnson@dbacalis.com	2/12/2024 4:31:39 PM	SENT
Daniel R.Bacalis		dbacalis@dbacalis.com	2/12/2024 4:31:39 PM	SENT
CHARLES MYERS		chuckdustin12@gmail.com	2/12/2024 4:31:39 PM	SENT

DKT (65)



**RESP ANSWER TO PTNRS 1ST AMENDED PETITION
FOR DIVORCE**

FILED ON: 02/14/2024

FEE: \$0.00

FILER/REQUESTOR: CHARLES DUSTIN MYERS

322-744263-23

FILED
TARRANT COUNTY
2/14/2024 11:02 PM
THOMAS A. WILDER
DISTRICT CLERK

IN THE 322nd DISTRICT COURT OF TARRANT COUNTY

STATE OF TEXAS

Morgan Michelle Myers,

Cause No. 322-744263-23

Petitioner,

v.

**Respondent's Answer to
Petitioner's First Amended
Petition for Divorce****Charles Dustin Myers,**

Respondent

To the Honorable Judge of said Court:

The First Amended Petition for Divorce presents yet another series of critical flaws and misrepresentations, reflective of the pattern established in every document filed thus far by the opposing Party.¹

Respondent has firmly denied the allegations herein in multiple documents within the court's possession, including an answer to the Protective Order, alongside several Exhibits with supporting documentation. Particularly, the Counter Petition for divorce, which more accurately reflects the true nature of the best interests of our children and does not contain false information or inaccuracies aimed at gaining an unfair advantage, has yet to be considered.

Based on the forthcoming inaccuracies, the false allegations, and the clear oversight by Counsel, the Respondent moves the Court to reset Cause No. 322-744263-23 which would immediately restore stability to the children's lives, give all parties involved time for an appropriate conference, and to follow the court procedures properly, and effectively, which would serve the best interests of our daughters.

¹ Between December 14th, 2023, and December 22nd, 2023, the Petitioner filed for an Emergency Protective Order, a Divorce Petition, a Protective Order, and instigated an Eviction suit. Please see the EMERGENCY MOTION filed with the court on 02/09/2024. Envelope# 84359156



INACCURACIES OF PETITION/DENIAL

This section of this document will reference the corresponding numbered sections found in the First Amended Petition for Divorce.

6. Dates of Marriage and Separation

1. December 1st, 2023, is not just inaccurate; it is a blatant misrepresentation of our living situation. Our cohabitation, verified by multiple documents accepted by this Court, continued unabated, reflecting a conscientious effort to preserve normalcy for our daughters during an especially sensitive time. The date of separation came on January 16th, 2024 – without a hearing, which has been detrimental and the focal-point of these proceedings by the Petitioner.

7. Grounds for Divorce

2. Petitioner claims the marriage became insupportable due to discord or conflict of personalities. This is inaccurate. The divorce was announced without any prior attempt at counseling, communication, therapy, or any visible signs of marital discord around the holiday season.

8. Children of the Marriage

3. The petition inaccurately asserts that no court-ordered conservatorships, guardianships, or relationships affecting the children of this marriage were in place at the time of filing, which is another blatant inaccuracy and oversight.

4. At the time of filing, orders were in place based on false claims from the Petitioner, hindering my work and damaging the relationship with my children. Opposing counsel was appointed on or around January 22nd, 2024, on last minute notice, which lead to a case continuance – which extended the Temporary Orders currently in place at that time to the reset date of February 1st, 2024.



6. The request for the exclusive right to designate the primary residence of the children is detrimental, as the Petitioner is employed part-time and has no desire to acquire full time employment and has demonstrated a pattern of deception that has destabilized the children's lives and damaged my ability to provide for them, which directly impacts them.

7. This oversight shows the consequences of not conducting proper discovery by opposing Counsel, and that this case is deeply rooted in misinformation, while the facts have been ignored outright.

11. Request for Temporary Orders and Injunction

8. The requests outlined in this section are baseless and appear designed to harass and complicate co-parenting. Cohabitation was maintained for 45 days post-divorce announcement, disrupted only by court intervention on false pretenses. Once again, the opposing Party must maintain the need for protection despite cohabiting without court intervention for 46 days, during which I was served three times. Respondent would ironically argue that the protection would have made more sense if been filed by himself rather than the Petitioner.

13. Request for Temporary Orders Concerning Use of Property

9. The requests are baseless and appear designed to harass and complicate co-parenting. Cohabitation was maintained for 45 days post-divorce announcement, disrupted only by court intervention on false pretenses. Once again, the opposing Party must maintain the need for protection despite cohabiting without court intervention for 46 days, during which I was served three times. Respondent would ironically argue that the protection would have made more sense if been filed by himself rather than the Petitioner.

14. Request for Temporary Orders Regarding Children

10. The request for orders regarding children lacks a factual basis and fails to protect the children's interests. The petitioner's previous request for an Emergency



Protective Order was denied, and was filed maliciously, illustrating the baselessness of claims for protection. The cohabitation achieved aforementioned directly contradicts the need for such orders.

15. Request for Temporary Orders Concerning Use of Property

11. Petitioner's Counsel requested temporary orders despite orders already existing at the time of this filing. These requests were made without any hearing and are, therefore, just as all other allegations made in this document, based off of unfounded claims of Family Violence.

16. Attorney's Fees, Expenses, Costs, and Interest

12. Respondent challenges the necessity and purpose of the Petitioner securing legal services from Cooper L. Carter, as she expressed her lack of desire to represent the Petitioner for the divorce case, only seeming interested in the Protective Order case, and would question her desire to represent the Petitioner had it not been required by the Honorable Judge of this Court, as corroborated by the oversights pointed out within this document.

17. Prayer

13. Petitioner's prayer, based on temporary injunctions and orders, is plagued by inconsistencies and contradictions, with no regard for the children's well-being. This is further compounded by the lack of competence from the opposing Counsel to get crucial facts such as the living arrangements in line 6.

RESPONDENT'S PRAYER

Respondent, Charles Dustin Myers, affirms under penalty of perjury that the statements herein are true and accurate to the best of his knowledge, supported by substantial documentation and evidence duly filed and accepted by the clerk of this Court.

It is with utmost respect yet resolute conviction that Respondent prays for the Court to strike the Petitioner's First Amended Petition for Divorce from the record due to its inconsistent and inaccurate nature.



Therefore, Respondent earnestly requests that the Court grant the following relief:

1. Reset the case to restore the conditions prior to court intervention.
2. Set a fair and expedited hearing to address these matters thoroughly, ensuring all parties can present their case and the children's best interests are held paramount. Respondent suggests a hearing date for March 14th, 2024 as the Opposing Counsel has already disclosed this availability, and the Court has already set time aside for this date in regards to the EMERGENCY MOTION filed, as referenced on page 1 of this document.
3. Consider the pattern of deceit and manipulation exhibited by the Petitioner throughout these proceedings, and the operation of non-facts by opposing Counsel, and weigh any new claims with a heightened level of scrutiny, as Respondent has retained consistent pleadings throughout this case.
4. Award full custody to the Respondent, who is best positioned to meet the children's needs and provide a stable, nurturing environment, while also facilitating a constructive relationship with the Petitioner.
5. Respondent reassures the Court that reinstating him to the family home and with full custody of his children poses no risk of harm or violence; on the contrary, it promises the continuation of peaceful cohabitation and the nurturing environment his daughters need. The Petitioner retains the right to remain in the home or choose alternate accommodations, but it is imperative for the children's sake that their lives not be disrupted by ongoing litigation over baseless allegations.
6. The Respondent will make an active and conscious effort to ensure the bond between the Petitioner and the children is upheld and is committed to ensuring that the children have unfettered access to both parents, a principle the Petitioner has willfully neglected. Awarding the Respondent custody will enable the children to sustain the stable and loving home they are accustomed to, without the unnecessary upheaval that has marked recent months.



By restoring the Respondent to his rightful place in the children's lives, the Court will affirm the principles of justice and fairness and uphold the sacred trust placed in it to protect the innocent and vulnerable.

/s/ Charles Dustin Myers

Charles Dustin Myers

Respondent

Chuckdustin12@gmail.com

817-507-6562



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document, Respondent's Answer to Petitioner's First Amended Petition for Divorce, was served on [Date] to the following:

Petitioner's Attorney:

Cooper Carter

coopercarter@majadmin.com

via Email / Electronic Filing Service

Additionally, a copy was provided to the Petitioner, Morgan Michelle Myers, via Electronic Filing Service / via Email @ morganmw02@gmail.com

/s/ Charles Dustin Myers

Charles Dustin Myers

[REDACTED]

[REDACTED]

Chuckdustin12@gmail.com

817-507-6562

-7-

2024-02-14



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Envelope ID: 84529722

Filing Code Description: Answer/Contest/Response/Waiver

Filing Description: RESPONDENT'S ANSWER TO PETITIONER'S FIRST AMENDED PETITION FOR DIVORCE

Status as of 2/15/2024 10:46 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	2/14/2024 11:02:22 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	2/14/2024 11:02:22 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	2/14/2024 11:02:22 PM	SENT



DKT (66)



**(ATTACH) AMENDED PETITION FOR DIVORCE (SEE
DKT 21)**

FILED ON: 02/14/2024

FEE: \$0.00

FILER/REQUESTOR: CHARLES DUSTIN MYERS

DKT (67)



**MOTION FOR PRETRIAL SUMMARY
JUDGEMENT/(PROP)NOT OF HRG**

FILED ON: 02/22/2024

FEE: \$0.00

FILER/REQUESTOR: CHARLES DUSTIN MYERS

322-744203-23

**NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**

Cause No. Cause No. 322-744263-23

MORGAN MICHELLE MYERS § In the (check one):
V § ☒ 322nd District Court
____ § ☐ County Court at Law No. ____
CHARLES DUSTIN MYERS § TARRANT County, Texas

Motion for Partial Summary Judgement

Print your answers

My name is:

CHARLES	DUSTIN	MYERS
<i>First</i>	<i>Middle</i>	<i>Last</i>

I am the ☐ Petitioner ☒ Respondent in this case and request the Court grant this motion for Partial Summary Judgement. In support, the following is shown:


(title of motion)

The current orders in place were solely determined based on false allegations which are now non-suited.

Please see attached brief.

[illegible]

M.753


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

A CERTIFIED COPY
ATTEST: 04/15/2024
THOMAS A. WILDER
of 3 DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

Certificate of Conference (check one)

I certify that I telephoned the other party’s attorney or the other party (if the other party does not have an attorney), three times, but my phone calls were never returned. Therefore, we were not able to reach an agreement.

I certify that I telephoned the other party’s attorney or the other party (if the other party does not have an attorney) and we were not able to reach an agreement.

Signature

Date

Certificate of Service

I certify that I delivered a copy of this document to each party in this case, or if a party is represented by a lawyer to the party’s lawyer, by: (Check one or more)

- ☐ Hand delivery to the other party _____
- ☐ Hand delivery to the other party’s lawyer _____
- ☒ Email to this email address COOPERCARTER@MAJADMIN.COM
- ☐ Regular mail to this address: _____
- ☐ Certified mail to this address: _____
- ☐ Commercial delivery service (for example FedEx) to this address: _____
- ☐ Fax to fax #: _____

 /s/ Charles Dustin Myers
Signature

_____ 2024-02-22 _____
Date

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Envelope ID: 84786327

Filing Code Description: Motion (No Fee)

Filing Description: Motion for Partial Summary Judgement

Status as of 2/22/2024 11:59 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	2/22/2024 11:23:08 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	2/22/2024 11:23:08 AM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	2/22/2024 11:23:08 AM	SENT

