

322-744263-23

EXHIBIT C.1

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Cause Number 322-744538-23
(Complete the heading so that it looks exactly like the Petition)MORGAN MICHELLE MYERS
Plaintiff (Print Full Name)

In the (check one):

322 - PRECINCT 1 ☐ District Court
Court Number ☐ County Court at Law
☒ Justice Court (JP)

v.

CHARLES DUSTIN MYERS
Defendant (Print Full Name)TARRANT County,
Texas

Defendant's Answer

WARNING: Talk to a lawyer **before** filling out this form. You may accidentally give up important legal rights if you file this form with the Court without first talking to a lawyer. For example, if you file an answer, you may be agreeing that the case can move forward in Texas. For help finding a lawyer, call your local lawyer referral service. If you do not have enough money to hire a lawyer to take your whole case, you can hire a lawyer just to give you advice and help you fill out this form. This is called Limited Scope Representation. You may also be able to talk to a lawyer for free at a legal advice clinic. For help finding a free legal advice clinic go to www.TexasLawHelp.org.

INSTRUCTIONS: If you decide to use this Defendant's Answer form:

- Fill it out completely and sign it.
- File (turn in) your completed answer form at the Courthouse where the Petition was filed.
- It does not cost anything to file an answer.
- If you have been served, you have a limited time to file an answer. Counting from the day you were served, you have 20 days plus the following Monday, at 10 a.m. to file an answer. If you do not file an answer by the deadline, the Plaintiff can ask the court to enter a default judgment against you.
- Keep a copy of your answer for your records.
- Send a copy to the Plaintiff's lawyer or to the Plaintiff if they are not represented by a lawyer.
- Filing an answer usually means you have 30 days to exchange **Required Initial Disclosures**. Read more at www.TexasLawHelp.org.

1. Defendant's Information

My name is CHARLES DUSTIN MYERS. I am the Defendant in this Case.
(PRINT your full name.)The last three numbers of my driver's license number are 6 0 8. 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 9 6 3.Or ☐ I do not have a social security number.

2. General Denial

..... Texas Rules of Civil Procedure Rule 92

I enter a general denial.

I request notice of all hearings in this case.

3. Specific Pleas Made Under Penalty of Perjury

Read Texas Rules of Civil Procedure Rule 93 for a list of specific pleas that must be verified or made under penalty of perjury. Ask a lawyer which specific pleas apply to your case.

I make the following specific pleas under penalty of perjury:

The Plaintiff, Morgan Michelle Myers, intentionally lied about allegations of family violence to the court, as evidenced by the complete absence of any police reports, medical records, or credible witnesses to corroborate such claims. I assert that my personal history is devoid of any such incidents and my record remains unblemished. Please see attached EXHIBIT B.

These unfounded allegations have caused significant undue stress and threaten the well-being of my children and myself. The claim that I have a history of family violence is categorically false and is maliciously designed to obstruct my parental rights and access to my children.

The timing and nature of these allegations suggest a strategic ploy to influence the outcome of concurrent legal proceedings — specifically, an eviction case and our ongoing divorce. It appears these claims were fabricated to leverage an advantage in these matters, rather than to protect any party from harm.

The Plaintiff also requested for joint conservatorship in the divorce and seeks co-parenting, which directly contradicts this order in and of itself.

In light of these considerations, I plead with the court to dismiss the protective order and to take appropriate measures to prevent further unwarranted with my family life and living situation, as my children's best interests remains my priority.

4. Affirmative Defenses

Read Texas Rules of Civil Procedure Rule 94 for a list of affirmative defenses. Ask a lawyer which affirmative defenses apply to your case.

Note: An affirmative defense is an independent reason that the Plaintiff should not win the lawsuit. If an affirmative defense is successful, you could win the lawsuit, even if what the Plaintiff says is true. If you file an answer and do not claim an affirmative defense, you may forever give up that defense.

I claim the affirmative defenses checked below:

- | | | |
|--|---|---|
| <input type="checkbox"/> accord and satisfaction | <input type="checkbox"/> estoppel | <input type="checkbox"/> license |
| <input type="checkbox"/> arbitration and award | <input type="checkbox"/> failure of consideration | <input type="checkbox"/> release |
| <input type="checkbox"/> assumption of risk | <input checked="" type="checkbox"/> fraud | <input type="checkbox"/> res judicata |
| <input type="checkbox"/> contributory negligence | <input checked="" type="checkbox"/> illegality | <input type="checkbox"/> statute of frauds |
| <input type="checkbox"/> discharge in bankruptcy | <input type="checkbox"/> injury to fellow servant | <input type="checkbox"/> statute of limitations |
| <input checked="" type="checkbox"/> duress | <input type="checkbox"/> laches | <input type="checkbox"/> waiver |

- ☐ I already paid the debt sued for. I paid \$ _____ to _____
on _____ by _____.
(date) (check, cash, etc.)

Write any other details regarding payment of the debt here:

- ☒ I also claim these additional affirmative defenses:

Abuse of Process: The petitioner has utilized the judicial proceedings as an instrument of malice and personal vendetta, with the primary intent of causing unwarranted harm to my reputation and rights, rather than seeking legitimate redress for a valid legal grievance.

Lack of Evidence: The petitioner has failed to provide any credible evidence, such as police reports, medical documentation, or witness testimony to substantiate the allegations of family violence. My record is clear of any such incidents, underscoring the baseless nature of the allegations.

I reserve the right to file an Amended Defendant's Answer with the Court to plead additional verified pleas, affirmative defenses and claims, cross-claims, or third-party claims, as applicable, after further investigation and discovery.

5. Request for Judgment

I ask that Plaintiff take nothing from this lawsuit. I ask for costs of court. I ask for such other and further relief, at law or in equity, to which I may be justly entitled.

Respectfully submitted,

Defendant's Signature [Signature] Date 01/02/2024
Defendant's Printed Name CHARLES DUSTIN MYERS Phone 817-507-6562
Mailing Address 6641 ANNE COURT City WATAUGA State TX Zip 76148
Email: CHUCKDUSTIN123@GMAIL.COM Fax (if available) _____

I understand that I must let the Court, the Plaintiff's lawyer (or the Plaintiff if the Plaintiff does not have a lawyer), and any other party or lawyer in this case know in writing if my mailing address or email address changes during this case. If I don't, any notices about this case will be sent to me at the mailing address or email address on this form.

6. Unsworn Declaration Made Under Penalty of Perjury

I make this unsworn declaration under penalty of perjury in place of verification as allowed by Texas Civil Practices and Remedies Code Section 132.001.

"Perjury" means making a false statement under oath, which is a crime, so everything in this Answer must be true.

My name is: CHARLES DUSTIN MYERS
First Middle Last

My date of birth is: 01 / 02 / 1991
Month Day Year

My address is: 6641 ANNE COURT WATAUGA TX 76148 USA
Street Address City State Zip Code Country

I declare under penalty of perjury that: 1) I am the Defendant in this case, 2) I have read this Defendant's Answer, and 3) the statements in this Defendant's Answer are within my personal knowledge and are true and correct. I understand that it is a crime to lie on this form.

Formally signed under penalty of perjury in TARRANT County, TEXAS State
on this date: 01 / 02 / 2024
Month Day Year

Defendant's Signature [Signature]

7. Certificate of Service

I certify that a copy of this document was delivered to the Plaintiff's lawyer or the Plaintiff (if the Plaintiff does not have a lawyer) on the same day this document was filed with (turned in to) the Court as follows: (Check one.)

☒ through the electronic file manager if this document is being filed electronically

☐ by certified mail, return receipt requested

☐ by fax, to: _____

☒ by personal delivery

☒ by email to this email address: MORBAUMWOLFGMAIL.COM


Defendant's Signature

01/02/2024
Date

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: 82998767

Filing Code Description: Answer/Contest/Response/Waiver

Filing Description: Answer to Protective Order

Status as of 1/2/2024 4:14 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	1/2/2024 1:54:52 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	1/2/2024 1:54:52 PM	SENT

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****FILED
TARRANT COUNTY
1/3/2024 6:59 PM
THOMAS A. WILDER
DISTRICT CLERK**NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**Cause No. 322-744263-23CHARLES DUSTIN MYERS6641 ANNE COURTWATAUGA, TX 76148§
§
§
§
§
§
§

In the (check one):

☒ 322nd District Court☐ County Court at Law No. _____TARRANT County, Texas**AND**Cause No. 322-744538-23CHARLES DUSTIN MYERS6641 ANNE COURTWATAUGA, TX 76148§
§
§
§
§
§
§

In the (check one):

☒ 322nd District Court☐ County Court at Law No. _____TARRANT County, Texas**Motion to Consolidate**

Print your answers

My name is:

CHARLES

First

DUSTIN

Middle

MYERS

Last


I am the ☐ Petitioner ☒ Respondent in this case

In support, the following is shown:

1. These lawsuits involve [a] common question[s] of law or fact.
2. It would serve the convenience of the Court and parties to have these lawsuits consolidated. Consolidation would assist in avoiding repetition, unnecessary expense, and unnecessary delay.

I pray that the Court grant the Motion to Consolidate and consolidate these lawsuits under the older and lower cause number.

Respectfully submitted,

▶  01-03-2024
Your Signature Date
CHARLES MYERS 817-507-6562
Your Printed Name Phone
6641 ANNE COURT WATAUGA TX 76148
Mailing Address City State Zip
CHUCKDUSTIN129GMAIL.COM
Email Address Fax # (if any)

Notice of Hearing

The above motion is set set for a hearing on the _____ day of _____,
20_____, at _____ a.m. / p.m.

The hearing will be held in the _____
(Court)
located at _____
(Court's Location)

Signed this _____ day of _____, 20_____.

Judge or Clerk

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 MORGANMW029 GMAIL.COM

☐ Regular mail to this address: _____

☐ Certified mail to this address: _____

☐ Commercial delivery service (for example FedEx) to this address: _____

☐ Fax to fax #: _____

▶ 
Signature

01-03-2024
Date

Automated Certificate of eService

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Envelope ID: 83059711

Filing Code Description: Motion (No Fee)

Filing Description: Motion to Consolidate

Status as of 1/4/2024 11:37 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	1/3/2024 6:59:39 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	1/3/2024 6:59:39 PM	SENT

Background Report for Case Consolidation

Case Details:

Divorce Case (Cause No. 322-744263-23) in the 322nd District Court of Tarrant County, filed on December 18, 2023.

Protective Order Case (Cause No. 322-744538-23) in the 322nd District Court of Tarrant County.

Reasons for Consolidation:

Interconnected Issues:

The divorce case and the protective order case involve overlapping issues concerning family violence allegations, which are central to the divorce proceedings and directly affect custody and visitation rights. The protective order case includes allegations of family violence, which are also a pivotal point in the divorce case in determining the waiver of the standard waiting period for the divorce.

Consistency in Rulings:

Consolidating the divorce and protective order cases would ensure consistency in the court's findings, particularly regarding any allegations of family violence and their impact on the dissolution of marriage, custody, and visitation rights.

Judicial Economy:

Hearing both cases together would promote judicial economy by avoiding duplication of legal proceedings, as both cases are likely to involve similar witnesses, evidence, and legal arguments.

Claims of False Statements:

There have been claims of false statements and perjury related to the protective order, which could have significant implications for the divorce case. For instance, the claim that the plaintiff intentionally lied about being unable to pay court fees and made false allegations of family violence to gain an advantage in the divorce proceedings suggests that a single judge should hear both matters for a clear understanding of the facts.

Evidence of Misrepresentation and False Statements:

Evidence provided suggests that there have been misrepresentations to the court, including the transfer of funds from the joint account and the plaintiff's interaction with third parties, which could affect both the protective order and the divorce outcome. The protective order – which was based on claims of family violence – are entirely baseless as I have no record of family violence, and no evidence from the Plaintiff has been provided to substantiate these claims.

Landlord-Tenant Relationship:

The eviction case, although not directly related to family law matters, stems from claims and actions that are deeply intertwined with the divorce and protective order cases, suggesting that the alleged family violence and the actions of the plaintiff have been used to justify an eviction that coincides with the timing of the divorce and protective order filings.

Conclusion:

Given the overlapping factual and legal issues in the divorce and protective order cases, consolidation would serve the interests of justice and efficiency. It would ensure that the court has a comprehensive understanding of the intertwined nature of the family's circumstances, which is vital for fair and equitable resolution of these matters. While the eviction case may not be directly consolidated due to jurisdictional differences, it should be considered in context with the other cases to provide a complete picture of the ongoing disputes and to keep the best interests of our children intact.

Respectfully submitted,

Charles Myers

Chuckdustin12@gmail.com

817-507-6562

X 

On this day of 01-03-2024

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

Cause Number 322 744538 23

Complete this section so that it looks exactly like the Petition filed in your case.

CHARLES DUSTIN MYERS
6641 ANNE COURT
WATAUGA, TX 76148

In the (check one):

322

Court Number

☒ District Court☐ County Court at LawTARRANT

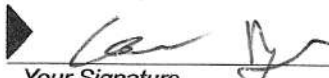
County, Texas

Motion for Continuance and Notice of Hearing

Print your answers.

- My name is: CHARLES DUSTIN MYERS
First Middle Last
- I am the ☐ Petitioner ☒ Respondent in this case.
- This case is presently set for a hearing or trial on 01 / 16 / 2024
Month Day Year
- I ask the Court to change the date of the hearing or trial to a later date because: (Check all that apply.)
 - ☐ I did not get at least 3 days' notice of this hearing.
 - ☐ I did not get at least 10 days' notice of this **contempt/enforcement** hearing.
 - ☐ I did not get at least 45 days' notice of this **final** hearing or trial.
 - ☒ I need time to hire a lawyer.
 - ☐ I need time to get legal advice and get ready to represent myself at the hearing.
 - ☒ Other: (Write why you need a continuance.) Please see attached
documents.
- This continuance is not sought solely for delay but that justice may be done.
- I ask the Court to grant my Motion for Continuance.

Respectfully submitted,


Your Signature
CHARLES MYERS6641 ANNE COURT, WATAUGA TX - 76148
Your Printed Name
Mailing AddressCHUCKDUSTIN12@gmail.com
Email Address01-06-2024
Date
(817) 507-6562
Phone

City

State

Zip

Fax Number (if available)

Notice of Hearing

The above motion is set for hearing on 01-16-2024 at 9:00 ☒ a.m. ☐ p.m.
at the TARRANT County Courthouse, located at:

200 E. WEATHERFORD FORT WORTH TX 76196-0402
Physical Address of Courthouse City State Zip

Signature of Judge or Clerk (if required in your County)

Declaration (Pursuant to Texas Civil Practice & Remedies Code 132.002)

My full name is: CHARLES DUSTIN MYERS,
my date of birth is: 02/01/1991, and
my address is: 6641 ANNE COURT, WATAUGA, TX 76148,
and TARRANT.
Country

I declare **under penalty of perjury** that: 1) I am the person asking for a continuance, 2) I have read this Motion for Continuance, and 3) the statements in this Motion for Continuance are within my personal knowledge and are true and correct.

Executed (formally signed) in TARRANT County, Texas on this date: 01-06-2024.

Signature of Party Asking for Continuance

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.)

- ☒ Hand delivery to the other party: MORGAN MICHELLE MYERS
☐ Hand delivery to the other party's lawyer: _____
☒ Email to this email address: MORGANMW02@gmail.com
☐ Certified mail, return receipt requested to this address: (Note: This method may take too long.) _____

☐ Commercial delivery service (for example FedEx) to this address: _____

☐ Fax to fax #: _____

- ☒ Electronic service through the electronic filing manager. (Note: The method is required if you electronically file (e-file) this document and the email address of your spouse or your spouse's attorney is on file with the electronic file manager.)

Signature of Party Asking for Continuance

01-06-2024
Date

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Envelope ID: 83152990

Filing Code Description: Motion (No Fee)

Filing Description: Motion of Continuance

Status as of 1/8/2024 12:31 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	1/6/2024 3:25:44 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	1/6/2024 3:25:44 PM	SENT

Charles Dustin Myers

6641 Anne Court

Watauga, TX 76148 [Phone Number]

Chuckdustin12@gmail.com

2024-01-06

IN THE DISTRICT COURT OF TARRANT COUNTY, TEXAS

BEFORE THE 322ND COURT

Morgan Michelle Myers, Plaintiff,

vs.

Charles Dustin Myers, Defendant.

CAUSE NO. 322-744538-23

MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Charles Dustin Myers, Defendant in the above-entitled and numbered cause, respectfully requests that the Court grant a continuance in the protective order case, and as grounds therefore would show the following:

1. Family Priorities During Holidays: The recent holiday season and the children's break from school have been my priority. Ensuring their stability and spending quality time with them has been of utmost importance, impacting my ability to prepare adequately for this case.
2. Motion for Consolidation: I have recently filed a motion for consolidation to combine this case with two others due to their intertwined nature. This motion has been accepted by the court but not yet ruled upon by the judge. A decision on this matter could significantly impact the proceedings of this case. The relevant cases that are intertwined are cause numbers: 322-744263-23 (DIVORCE) and JP01-23-E00102017 (EVICTION).

3. **Unfounded Claims in Eviction Suit and Protective Order:** Both the eviction suit and the protective order claims are unfounded. The eviction suit lists the violation of the lease as "granddaughter divorced" and prematurely references the protective order as a secondary reason for eviction grounds. Additional time is needed to address these premature and baseless claims. There is no immediate danger to the Plaintiff, or the children – and has never been any incident of family violence that has occurred within our home. Attached is a copy of my criminal history obtained by the Texas Department of Public Safety that highlights my clean record.
4. **Time to appropriately answer the divorce:** The parent case in the request to consolidate is the divorce, which I have yet to answer due to the concurrent proceedings (eviction suit and protective order) which were both filed due to the claims that I possess a history of family violence, waiving the 60-day period for service and making the timeframe unreasonable – especially considering the lack of communications from the Plaintiffs – to formulate a plan that best suits our children's interests.
5. **Lack of Cooperation in Providing Lease Agreement:** Despite requests, the Plaintiff has not provided a copy of the lease agreement necessary for my defense. More time is needed to acquire these critical documents, especially given the unlawful nature of the eviction.
6. **Potential for Amicable Resolution:** Given more time to prepare and the pending decision on the consolidation of cases, there is a potential for a more amicable resolution to be reached. The intertwined nature of the cases suggests that a holistic approach to resolution may be more appropriate and beneficial for all parties involved.

Considering the above reasons, continuity is necessary to ensure a fair and just resolution of this matter. I assure the Court that this request is not for the purpose of delay, but to allow for adequate preparation and the pursuit of justice.

WHEREFORE PREMISES CONSIDERED, I, Charles Dustin Myers, respectfully request that the Court grant a continuance for the protective order case.

Respectfully submitted,


Charles Dustin Myers

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion for Continuance was served on Morgan Michelle Myers, Plaintiff, at morganmw02@gmail.com on 2024-01-06.


Charles Dustin Myers