

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

MOTION FOR JOINDER OF  
PERSONS NEEDED FOR JUST  
ADJUDICATION

2024-06-23

TO THE HONORABLE JUDGE OF SAID COURT:

Respondent Charles Dustin Myers files this motion to designate responsible third parties pursuant to Rule 39(a)(1) of the *Texas Rules of Civil Procedure* and in support thereof, would respectfully show the Court the following:

**I. PARTIES**

1. Petitioner: Morgan Michelle Myers, residing at 6641 Anne Court, Watauga, Texas 76148.

2. Respondent: Charles Dustin Myers, residing at 6641 Anne Court,  
Watauga, Texas 76148.<sup>1</sup>

## II. DESIGNATED THIRD PARTIES

3. Pursuant to *Tex. R. Civ. P. § 39(c)*, Respondent names the following additional parties:
  - a. Daniel Kenneth Branthoover , whose last known address is 3100 Copan Ct, Yukon, OK 73099.
  - b. Margie Evonne Wilson, who resides at 6640 Anne Court,  
Watauga, TX 76148.
  - c. The parties above have not yet been joined into this suit due to all important issues related being ruled on prematurely prior to any evidentiary hearing, which didn't occur until March 14<sup>th</sup>, 2024, nearly three months after the divorce was filed by the Petitioner – and where a court record was not provided as mandated by *Tex. Fam. Code § 105.003*. (A record shall be made as in civil cases generally unless waived by the parties with the consent of the court). Respondent also has an un-answered no-evidence summary judgement that is a reiteration of the claims made herein, which was judicially acknowledged on March 14<sup>th</sup>, 2024, over 90 days ago by Judge Kaitcer.

<sup>1</sup> Respondent was ordered to vacate his residency and place of business on January 16<sup>th</sup>, 2024, by District Judge James Munford, on January 22<sup>nd</sup>, 2024, by Associate Judge Jeffrey Kaitcer, and was locked out by the Petitioner on March 6<sup>th</sup>, 2024.

- d. The above-mentioned cause is currently pending on appeal in the Supreme Court of Texas regarding the interlocutory orders rendered on March 26<sup>th</sup>, 2024. Pursuant to the *Texas Family Code*, this court has the ability on its' own motion after notice and hearing to grant temporary orders for the preservation of property during the appeal. *Id* § 6.709.

### **III. FACTS**

4. On December 13<sup>th</sup>, 2023, Morgan Michelle Myers opened up a bank account in her own name.
5. On the evening of December 13<sup>th</sup>, 2023, Morgan Michelle Myers had a meeting with Margie Evonne Wilson at her residency at approximately 9:55PM where they had a four-hour long private discussion relating to divorce matters.
6. On December 14<sup>th</sup>, 2023, Morgan Michelle Myers requested an ex-parte temporary order of protection from this Court, which was denied.
7. On December 15<sup>th</sup>, 2023, Charles Dustin Myers was contacted by Daniel Kenneth Branthoover, now Morgan's stepfather, where he stated his intention to "help with the divorce" and that it would be "a good move" to allow Morgan Michelle Myers and the Children to visit his residency in Yukon, Oklahoma over the weekend of December 15<sup>th</sup>, 2023.

8. Immediately following this phone call, Mr. Branthoover advised Morgan to withdraw all of the available joint finances into her own personal account that she had just opened on December 13<sup>th</sup>, 2023, which amounted to \$1,576.
9. Respondent timely requested that the money be put back after discovering the joint bank account was overdrawn \$-800 on December 16<sup>th</sup>, 2023, at approximately 3:54P.M., stating that the money was needed for bills and the Children's Christmas gifts.
10. At 8:23 P.M. CST on December 16<sup>th</sup>, 2023, Mr. Branthoover replied stating that the money was hers, and that he would be helping Morgan file the divorce paperwork while she and the Children were at his residency that weekend.
11. On December 17<sup>th</sup>, 2023, at approximately 11:00 A.M. CST, Margie Evonne Wilson served Charles with an eviction notice by hand delivery, where the grounds for eviction were cited as follows:
  - a. Divorce
  - b. Protective order filed.
  - c. He must leave. Her and the Children may stay.
12. On the evening of December 17<sup>th</sup>, 2023, Morgan returned to the family home with a can of pepper spray indicating a narrative for protection. She also acquired a second phone, given to her by Daniel Branthoover while visiting his residency.
13. On December 18<sup>th</sup>, 2023, Morgan filed for divorce.

14. On December 19<sup>th</sup>, 2023, Charles was contacted once again by Mr. Branthoover, who claimed to be Morgan's legal representative, and instructed Charles to not contact 'his client' regarding the divorce suit.
15. On December 22<sup>nd</sup>, 2023, Morgan filed for a standard order of protection.
16. On December 27<sup>th</sup>, 2023, Charles was served with the Original Petition for Divorce, and the Eviction.
17. On December 28<sup>th</sup>, 2023, Charles was served the Original Petition for divorce.
18. Between the dates of December 29<sup>th</sup>, 2023, and January 16<sup>th</sup>, 2024, the Respondent cohabitated with the Petitioner, where the Children were left in the Respondent's care while she worked her part-time job, which preserved the status quo of the minor children of this case.
19. At the show cause hearing on January 16<sup>th</sup>, 2024, despite denying the initial emergency protective order sought on December 14<sup>th</sup>, 2023, Judge James Munford, on his own motion, consolidated the case with the divorce and granted a continuance despite ordering the Respondent out of his residency, business, and Children's lives, and despite the Respondent filing the same two motions prior to the hearing which were not taken into consideration.

20. This constitutional violation from the onset of the case combined with the fraudulent nature of the Petitioner's pleadings, and the conspiratorial and malicious intent fueling them has left the Respondent without any legal justification for the decisions rendered in this case, and the children have been left with a parent who is unable to provide for them emotionally, financially, and as evidence will show – has introduced chaos into their lives.
21. On June 2<sup>nd</sup>, 2024, the Respondent was contacted by Margie Evonne Wilson who raised concerns about the children, Morgan's behavior, and stated she "could not afford for them to live there much longer due to no rent being paid."
22. On June 20<sup>th</sup>, 2024, Respondent reached out to Daniel Branthoover after receiving a friend request from him on social media, expressing concern over the detrimental impact of Daniel's actions on the welfare of the minor children involved in this case. Respondent explained how Daniel's actions had directly undermined the financial and emotional stability of the children, both currently and in the foreseeable future. In response, Daniel attempted to justify his behavior and further revealed his malicious intent by stating that he had been "thoroughly enjoying" seeing the Respondent's attempts for relief being denied.
23. During the pendency of the case - Morgan Michelle Myers has moved additional family members into the family residence, has

introduced a new male figure into the children's lives on an ongoing basis, works less hours than when the orders were rendered, and has left the children in the sole custody of the male individual on at least one occasion.

#### **IV. LEGAL BASIS FOR DESIGNATION**

24. Pursuant to Rule 39(a)(1) of the *Texas Rules of Civil Procedure*, “[a] person who is subject to service of process shall be joined as a party in the action if in [their] absence complete relief cannot be accorded among those already parties...” *Id.* The Respondent and the marital estate have been undergoing substantial and ongoing harm due to the collective actions of Morgan, Mr. Branthoover, and Margie, and the best interests of the children have been disregarded entirely due to the deceptive nature of her pleadings.<sup>2</sup> Their addition to the case is necessary so this court will have jurisdiction for the relief being sought by the Respondent.

25. Morgan Michelle Myers, Daniel Kenneth Branthoover, and Margie Evonne Wilson acted in concert with malicious intent with the common goal of removing the Respondent from the family residence by filling a fraudulent divorce petition, protective order,

<sup>2</sup> Attached hereto is the Respondent's income which has significantly dropped and is continuously dropping without a stable residency to perform his normal occupation which the Children in this case, Margie Evonne Wilson, and Morgan Michelle Myers all rely on.

and eviction notice during the weekend of December 15<sup>th</sup>, 2023, to create a false narrative of protection to present to this Court.

26. Despite raising the exact facts mentioned above in the first two pleadings submitted to this court, which were the answer to the protective order, and the motion to consolidate, which have been attached hereto for the court's convenience, they were ignored outright in the initial determinations on January 16<sup>th</sup>, 2024.

27. Due to Daniel's involvement and the fraudulent nature of the Original Petition for Divorce – no hearing regarding custody determinations should have been held until *Tex. Fam. Code* § 6.405(b) were to be satisfied, which requires:

(b) The petitioner shall attach to the petition a copy of each order described by Subsection (a)(1) in which a party to the suit or the child of a party to the suit was the applicant or victim of the conduct alleged in the application or order and the other party was the respondent or defendant of an action regarding the conduct alleged in the application or order without regard to the date of the order. If a copy of the order is not available at the time of filing, the petition **must state** that a copy of the order will be filed with the court before any hearing. – *Id* (emphasis added)

Despite this statutory requirement, two hearings were held which resulted in Charles' unjust removal from his home, his business, and Children's lives. Despite invoking this rule at the March 14<sup>th</sup>, 2024 hearing – it was sustained on objection for relevance – with no court reporter to make an effective appeal.

28. Due to the fatal procedural errors committed in this case, the fraudulent nature that they were filed, the third party influence, the malicious intent behind them, the ongoing damage caused, the lack of discovery, and the disregard for the best interests of the children,



this Court has an obligation to re-visit the merits of this case by enjoining the above named parties into the suit so that the facts can be before this court for the first time in nearly seven months of litigation.

## **V. CIVIL CONSPIRACY AND FRAUD**

29. To prove civil conspiracy, the plaintiff must show the following elements: (1) two or more persons; (2) an object to be accomplished; (3) a meeting of the minds on the object to be accomplished; (4) one or more unlawful, overt acts; and (5) damages as the proximate result. *Triplex Communications, Inc. d/b/a Radio Station KZZB-95 FM v. Riley*, 900 S.W.2d 716, 719 (Tex.1995); *Massey v. Armco Steel Co.*, 652 S.W.2d 932, 934 (Tex.1983); *Bernstein v. Portland Sav. & Loan Ass'n.*, 850 S.W.2d 694, 706 (Tex.App.--Corpus Christi 1993, writ denied). Respondent asserts that the record proves civil conspiracy on its' face as text evidence and other relevant materials have already been submitted with the clerk of this Court, but nonetheless will be shown to the clear and convincing standard of evidence following discovery.

## **VI. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

30. A party claiming intentional infliction of emotional distress must prove:

(1) the defendant acted intentionally or recklessly; (2) the defendant's conduct was extreme and outrageous; (3) the conduct caused the claimant emotional distress; and (4) the emotional distress was severe. *Tiller v. McLure*, 121 S.W.3d 709, 713 (Tex. 2003) (per curiam); *Twyman v. Twyman*, 855 S.W.2d 619, 621 (Tex. 1993).

All four elements of this cause of action have been satisfied here.

The actions by each named party herein resulted in the loss of the Respondent's custodial rights, business, and property interests, and were initiated the weekend before Christmas void any legal basis for doing so. Respondent asserts that any reasonable finder of fact would conclude that the actions taken by the named parties are "so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized society." *Hoffman-La Roche, Inc. v. Zeltwanger*, 144 S.W.3d 438, 445 (Tex. 2004); *see also Creditwatch, Inc. v. Jackson*, 157 S.W.3d 814, 817-18 (Tex. 2005).

## **VII. CRIMINAL CONDUCT**

31. The admitted actions of Daniel Kenneth Branthoover and Morgan Michelle Myers have violated criminal statutes under Texas law and have undermined this State's interest in protecting the best interests of the Children by deceiving this Court. The specific criminal violations include:

a. Daniel Kenneth Branthoover has impersonated a public servant by presenting himself as an attorney and performed legal acts without a license such as requesting discovery, advising Morgan Michelle Myers to transfer the available funds in the marital estate to herself, directly influenced the pleadings in this case, and has caused significant and ongoing harm on the Children and the Respondent in this case. “A person commits an offense if they impersonate a public servant with intent to induce another to submit to their pretended official authority or to rely on their pretended official acts. This offense is a felony of the third degree.” *Texas Penal Code* § 37.11.

b. Morgan Michelle Myers knowingly and willingly filed fraudulent divorce paperwork under the advice of Daniel Branthoover “with intent to deceive and with knowledge of the statement's meaning” when claiming an active order of protection existed against the Respondent for the purpose of acquiring property as well as when filing for a protective order to achieve the same goal. *Texas Penal Code* § 32.32(b). The goal was to gain an advantage in the divorce suit by leveraging knowingly false statements of family violence and by creating a false narrative of protection. An affidavit of inability to pay was claimed despite both Daniel and Morgan

admitting via text evidence that Morgan had transferred money to herself just three days prior on December 15<sup>th</sup>, 2024.

- c. Both Morgan Michelle Myers and Daniel Kenneth Branthoover knowingly and willingly committed acts of perjury. The perjury occurred when they conspired to transfer joint finances to Morgan through Daniel's PayPal account and immediately following this act proceeded to file for divorce swearing an affidavit of inability to pay costs and that an active order of protection existed against the Respondent. This affidavit was made under oath with the intent to deceive the court regarding her financial status, a clear violation of Texas Penal Code § 37.02(a)(1).

## **VIII. CONCLUSION**

32. The actions taken by Morgan Michelle Myers and Daniel Kenneth Branthoover are not only legally reprehensible but also morally indefensible. Their calculated scheme to remove the Respondent, a dedicated stay-at-home father, from the lives of his children has caused significant disruption. By conspiring to fraudulently transfer joint finances, filing a deceitful affidavit of inability to pay costs, and manipulating legal processes through perjury and impersonation, they have engaged in a toxic and egregious civil

conspiracy, committed fraud, and destabilized the lives of the minor children of this case for the sole benefit of Morgan Michelle Myers.

33. The Respondent has been the primary caregiver for his children, providing them with emotional support and stability. The deliberate efforts of Morgan and Daniel to sever this vital relationship have disrupted the children's lives, depriving them of the love and care they rely on, and the financial support they have enjoyed. This malicious intent to manipulate the court and inflict harm on Charles and his children cannot continue to be overlooked.
34. While Margie Evonne Wilson's actions contributed to the harm caused, it is important to acknowledge that the Respondent does not believe her intent was driven by malice. The Respondent believes Margie was manipulated and placed in a difficult position by Morgan. Her inclusion into the case is necessary for the relief being sought regarding the preservation of the property and has expressed shared concerns regarding the Children.
35. Given the severity of these actions, it is imperative that this Court take decisive action. The Respondent respectfully requests that the Court grant the relief sought, enjoin the responsible third parties, and if deemed necessary - forward the information regarding the criminal violations to the appropriate state prosecutors for further investigation regarding Daniel Branthoover's actions. The well-

being of the children and the integrity of the legal system demand nothing less.

36. While Morgan Michelle Myers has committed criminal offenses in this State, the Respondent would request this court not pursue criminal charges against her as it would not serve the best interests of the Children.

37. Despite Daniel Branthoover's residency residing in Oklahoma, this court can exercise jurisdiction over him due to his direct involvement and sufficient contacts with the State regarding his influence and the damages caused by that influence.

## **XI. PRAYER AND RELIEF**

29. Respondent requests the following relief:

1. Grant a temporary restraining order preventing Daniel Kenneth Branthoover from being in the presence of the Respondent's children while the case is pending.
2. Require by order of this court that Daniel Kenneth Branthoover pay monetary damages, which includes hotel bills, gas expenses to exercise visitation, tolls, business income losses, and the fraudulent transfer of marital assets.
3. Grant the Respondent a temporary injunction for the preservation of the property while this case is pending to preserve the status quo for the Children.

4. Require by order of this court that Morgan Michelle Myers pay all of Respondent's attorney's fees incurred from the retainment of Daniel Bacalis, amounting to \$3,000.
5. Issue a temporary restraining order against Margie Evonne Wilson to prevent any further harassment and to preserve the status quo of the Children during the pendency of the transitionary period for no less than eight months by continuing to provide a stable living environment for the Children in this case.
6. Require that Morgan Michelle Myers, Daniel Branthoover, and Margie Evonne Wilson complete the *Children in the Middle* parenting course.<sup>3</sup>
7. By order of this court - require that a monthly status report be provided by Charles Dustin Myers, Morgan Michelle Myers, and Margie Evonne Wilson on behalf of the Children during the transitionary period.
8. Grant a trial by jury on the merits of this case in lieu of any findings of fact.

WHEREFORE PREMISES CONSIDERED, Respondent prays that this Court grant the relief requested herein and such other and further relief to which Respondent may be justly entitled.

<sup>3</sup> Morgan Michelle Myers was already previously ordered by this court to complete this course by May 1<sup>st</sup>, 2024, which she failed to do.

Respectfully submitted,

/s/ Charles Dustin Myers  
Charles Dustin Myers  
6641 Anne Court,  
Watauga, TX 76148  
[Chuckdustin12@gmail.com](mailto:Chuckdustin12@gmail.com)  
817-507-6562

Certificate of Service

I certify that a true copy of this document was served in accordance with  
Rule 21a of the Texas Rules of Civil Procedure on the following on June  
23<sup>rd</sup>, 2024:

Morgan Michelle Myers by electronic filing manager at  
[morganmw02@gmail.com](mailto:morganmw02@gmail.com).

Cooper L. Carter by electronic filing manager at  
[coopercarter@majadmin.com](mailto:coopercarter@majadmin.com).

/s/ Charles Dustin Myers  
Charles Dustin Myers  
6641 Anne Court,  
Watauga, TX 76148  
[Chuckdustin12@gmail.com](mailto:Chuckdustin12@gmail.com)  
817-507-6562



## UNSWORN DECLARATION

My name is Charles Dustin Myers, my

date of birth is 02/01/1991, and my address is

6641 Anne Court, Watauga, TX 76148, United States.

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

Executed in Dallas County, State of Texas, on the 23rd day of June, 2024.

Certificate of Conference

Respondent certifies that an attempt to confer with Cooper L. Carter,  
counsel for the Petitioner, regarding the merits of this motion was made on  
06/19/2024. No response was provided by Ms. Carter.

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

TAB 1- BACKGROUND REPORT FOR  
CASE CONSOLIDATION (CERTIFIED)

## 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.



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

**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](mailto:Chuckdustin12@gmail.com)

817-507-6562

X 

On this day of 01-03-2024



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

TAB 2 - DEFENDANT'S ORIGINAL ANSWER

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  
Court Number

- ☐
- District Court
- 
- ☐
- 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](http://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](http://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 to substantiate the allegations of family violence. My record is clear of any such incidents, underscoring the baseless nature





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



### TAB 3 - INCOME LOSS SINCE CASE INITIATION

Monthly earnings details

Month	Gross revenue	Payment fee	Platform fee	App store fee	Your earnings
Jun 2024 <div>In progress</div>	\$2,066.25 ▾	-\$91.81 ▾	-\$165.33	\$0.00	\$1,809.11
May 2024	\$2,136.97 ▾	-\$95.48 ▾	-\$171.00	\$0.00	\$1,870.49
Apr 2024	\$2,213.41 ▾	-\$99.84 ▾	-\$177.09	\$0.00	\$1,936.48
Mar 2024	\$2,483.65 ▾	-\$111.31 ▾	-\$198.74	\$0.00	\$2,173.60
Feb 2024	\$2,793.68 ▾	-\$126.26 ▾	-\$223.54	\$0.00	\$2,443.88
Jan 2024	\$2,873.59 ▾	-\$129.53 ▾	-\$229.96	\$0.00	\$2,514.10
Dec 2023	\$2,785.15 ▾	-\$124.10 ▾	-\$222.89	\$0.00	\$2,438.16

Past 6 months ▾

Paid members ▾

🔔 Last updated at 8:47 AM

Active members

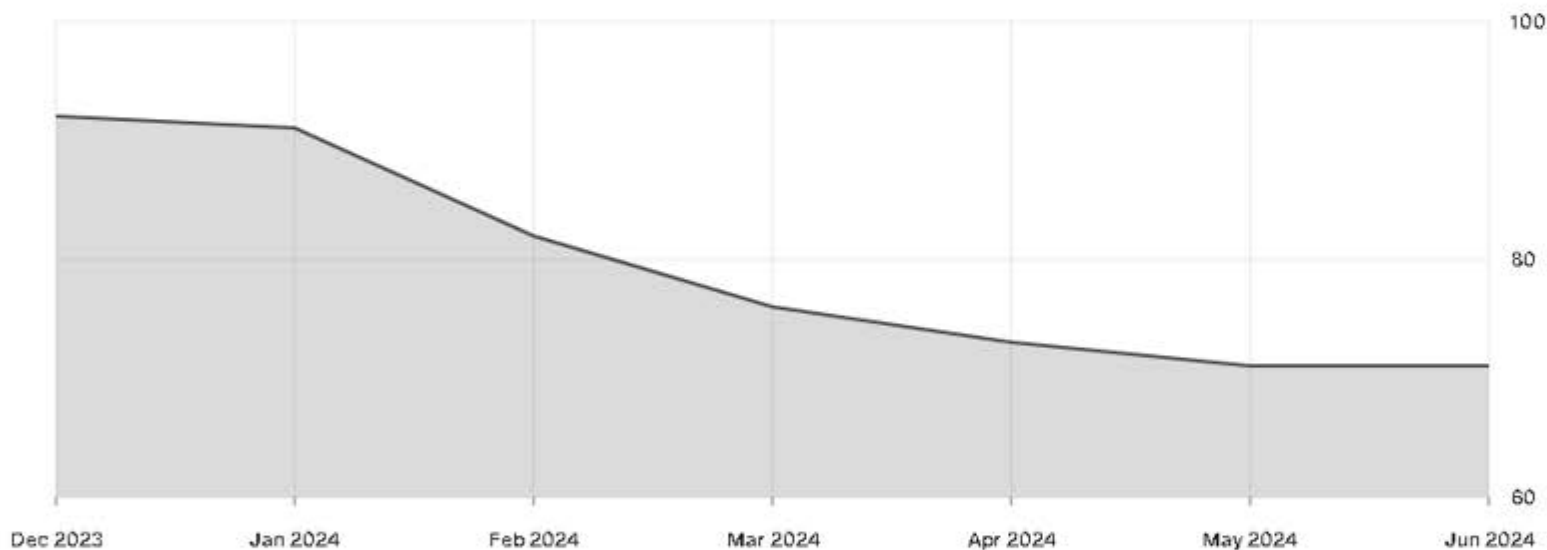
71 ▾ 22

New

1

Cancelled

23



Overall

Tiers

Date	<div> <div>+</div> </div>	Estimated revenue		Watch Page ads		Estimated monetized playbacks		Playback-based CPM	
September		\$2,224.10	11.3%	\$300.57	17.4%	42,467	16.8%	\$12.87	
August		\$2,070.37	10.5%	\$124.56	7.2%	19,079	7.5%	\$11.87	
October		\$1,868.99	9.5%	\$108.02	6.3%	18,543	7.3%	\$10.59	
November		\$1,766.99	9.0%	\$126.51	7.3%	17,644	7.0%	\$13.04	
December		\$1,643.24	8.3%	\$135.29	7.9%	18,939	7.5%	\$12.99	
January		\$1,434.77	7.3%	\$110.01	6.4%	19,329	7.6%	\$10.35	
February		\$1,359.78	6.9%	\$84.99	4.9%	13,825	5.5%	\$11.18	
March		\$1,282.94	6.5%	\$84.85	4.9%	12,870	5.1%	\$11.99	
May		\$1,279.54	6.5%	\$196.11	11.4%	28,382	11.2%	\$12.56	
April		\$1,164.80	5.9%	\$87.17	5.1%	13,064	5.2%	\$12.13	
June (ongoing)		\$1,095.42	5.6%	\$209.72	12.2%	25,706	10.2%	\$14.82	

Copy from re:SearchTX

### **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: 89091273

Filing Code Description: Motion (No Fee)

Filing Description: MOTION FOR JOINDER OF PERSONS NEEDED  
FOR JUST ADJUDICATION

Status as of 6/24/2024 11:31 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	6/23/2024 12:14:04 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	6/23/2024 12:14:04 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	6/23/2024 12:14:04 PM	SENT