

IN THE 322nd DISTRICT COURT  
OF TARRANT COUNTY  
FORT WORTH, TEXAS

**No. 322-744263-23 (consolidated)<sup>1</sup>**

**Morgan Michelle Myers,**

Petitioner,

v.

**OBJECTION TO MOTION FOR PRE-TRIAL  
CONFERENCE**

**Charles Dustin Myers,**

Respondent

April 24th, 2024

To the Honorable 322<sup>nd</sup> District Court of Tarrant County, Texas:

On March 24<sup>th</sup>, 2024, opposing counsel moved for a motion for pre-trial conference.<sup>2</sup>

Opposing counsel also requested dates and times available from the court via e-mail correspondence.<sup>3</sup>

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<sup>1</sup> 322-744538-23 - Protective Order filed December 22<sup>nd</sup>, 2023 / Consolidated with cause# 322-744263-23 on January 16<sup>th</sup>, 2024.

<sup>2</sup> See EXHIBIT 1

<sup>3</sup> See EXHIBIT 2

The respondent respectfully objects to the motion for the forthcoming reasons:

## **I. ARGUMENT**

### **A. Pending Mandamus in the Second Court of Appeals.<sup>4</sup>**

On April 8<sup>th</sup>, 2024, Relator filed with the Second Court of Appeals a Petition for Writ of Mandamus, which was denied with a general denial on April 10<sup>th</sup>, 2024.

The Second Court of Appeals is currently deliberating on a Motion for Rehearing concerning a Petition for Writ of Mandamus filed by the Respondent on April 18<sup>th</sup>, 2024, that corrected procedural defects in the initial petition.

The appellate court's forthcoming decision could significantly alter the legal landscape of the underlying issues in this case. Proceeding with a pre-trial hearing while the appeal is unresolved may result in redundant judicial efforts and conflicting judicial directives.

### **B. Failure to Conduct Pre-Motion Conference.**

Pursuant to *Local Court Rules of Tarrant County*, no court proceeding may be set by any attorney or self-represented litigant who fails to comply with *Id at*

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<sup>4</sup> [02-24-00149-CV](#)

4.10(b). Given that no such conference was held, the motion may not be set for hearing.

Respondent seeks no sanctions at this time and chooses not to invoke *Id* at 4.10(e).

## **II. CONCLUSION**

For the reasons above, Respondent asks the court to dispose of the motion for pre-trial conference, as required by the local rules of the Court.

Respectfully submitted,

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

## CERTIFICATE OF SERVICE

I certify that a true copy of this Objection to Motion for Pre-Trial Conference was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on **04-24-2024**:

**Cooper L. Carter** by EMAIL/ESERVE at COOPERCARTER@MAJADMIN@COM

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

# EXHIBIT 1

**NO. 322-744263-23****IN THE MATTER OF  
THE MARRIAGE OF****MORGAN MYERS  
AND  
CHARLES MYERS****AND IN THE IN INTEREST OF  
MARA MYERS AND  
CAROLINE MYERS  
CHILDREN**§  
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§**IN THE DISTRICT COURT****322ND JUDICIAL DISTRICT****TARRANT COUNTY, TEXAS****MOTION FOR PRETRIAL CONFERENCE**

This Motion for Pretrial Conference is brought by Petitioner, Morgan Myers, who requests the court to order a pretrial conference. In support, Morgan Myers shows:

1. A pretrial conference is necessary to formulate and simplify issues.
2. A pretrial conference will enhance the possibility of settlement

Morgan Myers prays that the Court grant the Motion for Pretrial Conference.

Respectfully submitted,

MARX, ALTMAN, & JOHNSON  
2905 Lackland Road  
Fort Worth, TX 76116  
Tel: (817) 926-6211  
Fax: (817) 926-6188

By: /s/ Cooper L. Carter  
Cooper L. Carter  
State Bar No. 24121530  
coopercarter@majadmin.com

**Certificate of Service**

I certify that a true copy of the above was served on each attorney of record or party in accordance with the Texas Rules of Civil Procedure on April 24, 2024

/s/ Cooper L. Carter

Cooper L. Carter

Attorney for Morgan Myers

### **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.

Roderick Marx on behalf of Cooper Carter

Bar No. 24121530

MAJFIRM@YAHOO.COM

Envelope ID: 86999360

Filing Code Description: Motion (No Fee)

Filing Description: MOTION FOR PRETRIAL CONFERENCE

Status as of 4/24/2024 10:46 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	4/24/2024 9:58:31 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	4/24/2024 9:58:31 AM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	4/24/2024 9:58:31 AM	SENT



# EXHIBIT 2



**Cooper Carter**

to Lindsey, me ▼

11:20 AM (5 hours ago)



Good Morning,

Our office filed a Motion for Pretrial Conference in the above referenced matter. Could you please list a few days that the Court is available for a pretrial conference?

Opposing party is cc-ed for convenience.

Thanks!

Cooper L. Carter  
Attorney at Law

### **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: 87035976

Filing Code Description: Answer/Contest/Response/Waiver

Filing Description: Objection to Motion for Pre-trial Conference

Status as of 4/25/2024 9:04 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	4/24/2024 5:13:59 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	4/24/2024 5:13:59 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	4/24/2024 5:13:59 PM	SENT