

NO. _____ CV

**IN THE SECOND JUDICIAL DISTRICT
COURT OF APPEALS
AT FORT WORTH, TEXAS**

IN RE: CHARLES DUSTIN MYERS, RELATOR.

Original Proceeding Arising Out of
the 322nd Judicial District Court of Tarrant County
Cause No. 322-744263-23
Honorable James B. Munford, District Judge Presiding

**PETITION FOR WRIT OF
MANDAMUS**

Respectfully submitted by:

Charles Dustin Myers
chuckdustin12@gmail.com
Tel.: 817-546-3693
1209 Blairwood Drive
Flower Mound, Texas 75028
PRO-SE RELATOR

Identity of Parties and Counsel

Relator

Charles Dustin Myers
6641 Anne Court
Watauga, Texas 76148
chuckdustin12@gmail.com
817-546-3693

Real Party in Interest

Morgan Michelle Myers
Morganmw02@gmail.com

Intervenor

Holly Hayes
SBN# 24110698
817-459-6878
2001 Beach Street
Fort Worth, TX 76103
csd-legal-914@texasattorneygeneral.gov

Counsel for Relator

Daniel R. Bacalis
SBN# 01487550
817-498-4105
669 Airport Fwy Ste 307
Hurst, TX 76053-3984
dbacalis@dbacalis.com

Respondent

Hon. James B. Munford
Presiding District Judge
322nd District Court of Tarrant County
200 E. Weatherford St., 4th floor
Fort Worth, TX 76196-0230
LKBaker@tarrantcountytexas.gov
817-884-1427

Counsel for Real Party in Interest

Cooper L. Carter
SBN# 24121530
Marx, Altman & Johnson
2905 Lackland Road
Fort Worth, TX 76116;
(817) 926-6211
coopercarter@majadmin.com

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Statement of the Case

Nature of Underlying Proceeding: This original proceeding arises from a divorce action, No. 322-744263-23, pending in the 322nd District Court of Tarrant County, Texas.

Respondent Judge: The Respondent Judge, Honorable James B. Munford, is the presiding District Judge of the 322nd District Court of Tarrant County.

Respondent's Challenged Actions: The relator seeks relief from actions taken by District Judge James Munford, who made a significant ruling and then referred this matter to Associate Judge Jeffrey Kaitcer—who made subsequent rulings including the issuance of temporary orders, the consolidation of a protective order with the divorce, and the withdrawal of counsel—on the grounds that these subsequent actions were taken without a written order of referral from the district judge, thereby rendering them void for lack of jurisdiction.

Statement of Jurisdiction

This Honorable Court has jurisdiction to issue a writ of mandamus under Section 22.221(b) of the Texas Government Code.

Issues Presented

ISSUE NO 1:

Whether all actions taken by Associate Judge Jeffrey Kaitcer—including the order of withdrawal of counsel, the consolidation order, and temporary orders—are void ab initio due to the absence of a written order of referral from the Respondent Judge, and whether mandamus relief is warranted to correct these jurisdictional defects.

I. STATEMENT OF FACTS

1. On December 22, 2023, Real Party in Interest (“RPI”) filed for an Application for Protective Order and alleged family violence occurred on December 18, 2023, in a sworn affidavit. **MR. A.6.**
2. On December 29, 2023, the Relator was commanded to appear before the 322nd District Court of Tarrant County on **January 16, 2024, at 9:00 A.M.** to show cause as to why the protective order filed by RPI should not be granted. **MR. A.1.**
3. On January 15, 2024, the Tarrant County District Court’s Facebook page declared that the 322nd District Court of Tarrant County, Texas, would be closed on January 16, 2024, due to inclement weather.¹
3. Nevertheless, on January 16, 2024, the parties appeared before District Judge James Munford, who issued a rendition requiring the Relator to vacate the family residence located at 6641 Anne Court, Watauga, Texas 76148, consolidated the protective order case (#322-744538-23) into the divorce suit (#322-744263-23) and reset the case for January 22, 2024. **MR. B.1.**
4. On January 22, 2024, the parties appeared with Counsel before Associate Judge Jeffrey Kaitcer, where the case was delayed once more and reset for February 1, 2024. **MR. C.1.**

¹ https://www.facebook.com/profile.php?id=100092554647052&checkpoint_src=any#

5. At the February 1, 2024, setting, Relator's counsel, Dan Bacalis, presented a settlement agreement to which the Relator did not want to sign, but was left with no other alternative, and signed the agreement because he noticed specific provisions on page 5. **MR. D.5.** This was filed with the clerk on February 8, 2024.

MR. D.1.

6. Immediately following this setting, Relator terminated the services of Dan Baacalis and proceeded pro-se, and filed an EMERGENCY MOTION TO RECONSIDER EVIDENCE AND VACATE TEMPORARY ORDERS on February 9, 2024, which included several exhibits and was purposed to expose the real party in interest's scheme to defraud Relator out of his livelihood. **MR. E.4.**

7. On February 12, 2024, an order for withdraw of attorney Dan Balacis was delivered by the Clerk. **MR. E.4.**

8. On February 27, 2024, a notice of hearing in regard to Relator's emergency motion was signed and filed by District Judge James Munford and the hearing was set for March 14, 2024. **MR. G.2.**

9. On March 14, 2024, alleged counsel for Real Party in Interest, Cooper L. Carter, without responding to his emergency motion, handed Judge Kaitcer a proposed order denying the motion, which was summarily granted despite no response being filed to the motion. **MR. H.1.** Notably, this document was not

served on Relator prior to the hearing as evidenced by the lack of certificate of service.

10. On March 14, 2024, Cooper L. Carter also handed the Relator the reduced “Temporary Orders” which falsely claimed consent was given by all of the parties and falsely claimed the parties appeared on February 1, 2024, for an alleged motion for temporary orders. **MR. I.1.**

11. Finally, as evidenced by this case’s docket and the legal authorities below, all actions above taken by Associate Judge Jeffrey Kaitcer are legally *void ab initio* as the required order of referral was never filed and signed by District Judge James Munford when he initially reset the case on January 16, 2024, leading to two years of one-sided litigation as the Relator has sought relief in multiple courts without an opponent. *See* cause numbers [02-24-00149-CV](#), [02-25-00164-CV](#), [02-25-00166-CV](#), [02-25-00171-CV](#), [24-0395](#), [25-0561](#), [25-0367](#), [25-0378](#), [25-0426](#), [25-0458](#), and [25-0861](#).

12. Relator’s efforts to resolve these issues have been in good faith and are in the best interests of his minor children involved in this case. Relator understands he is a self-represented litigant, but his efforts have been extraordinary and his faith in the laws of our State remains to protect him and his children from the manifest injustice that has occurred in this case.

II. SUMMARY OF ARGUMENT

13. The necessity of a referral order is not a mere procedural technicality, but a jurisdictional requirement. As explained in *In re Marriage of D.E.L.*, the absence of a written referral order was argued to render the associate judge's actions void, and the court's analysis supports the view that the referral order is essential to confer authority on the associate judge (*In re Marriage of D.E.L.*, No. 14-17-00216-CV (Tex. App. Feb. 12, 2019)).

14. Where an associate judge acts without a valid referral order, their actions are generally void. This includes not only substantive rulings but also procedural actions such as granting attorney withdrawal. The absence of a referral order deprives the associate judge of authority, and party agreement cannot cure this jurisdictional defect.

15. Texas Family Code § 201.006 requires the referring court to issue an order of referral, and Texas Government Code § 54A.007 similarly mandates a written order specifying the associate judge's duties. These provisions are not framed as rights or privileges of the parties that can be waived, but as jurisdictional prerequisites imposed on the court itself (Tex. Fam. Code § 201.006; Tex. Gov't. Code § 54A.007).

16. Therefore, all actions taken by Judge Kaitcer in this matter must be declared as *void ab initio* for lack of an order of referral vesting him with jurisdiction.

III. ARGUMENT

A. Standard of Review

17. The existence and sufficiency of an order of referral is a legal question, not a discretionary one. Appellate courts review such questions de novo, meaning they make an independent determination without deference to the lower court's findings (*In re K.M.H.*, 14-22-00784-CV (Tex. App. Mar 16, 2023)). Therefore, the standard of review for the instant mandamus petition is the de novo standard of review.

B. The Referral Order Requirement Is Jurisdictional and Mandatory

18. The Texas Family Code and Government Code both require a written order of referral as a jurisdictional prerequisite for an associate judge to act. Section 201.006 of the Family Code mandates that the referring judge must render either an individual or general order of referral when assigning a case to an associate judge. This is echoed in the Government Code, which requires a written order specifying the associate judge's duties (Tex. Fam. Code § 201.006; Tex. Gov't. Code § 54A.007; Tex. Gov't. Code § 54B.007).

19. The record in this case, as detailed in the Statement of Facts and supported by the appendix demonstrates that no such written order of referral was ever signed or filed by District Judge Munford after the January 16, 2024, incident (Statement of Facts ¶ 11). Despite this, Associate Judge Kaitcer presided over multiple hearings, issued orders, and made rulings—including denying the relator's emergency motion

and issuing temporary orders (APP 1, APP 2, APP 3, APP 4, APP 5, APP 6). Under the controlling statutes, these actions are void because the associate judge lacked authority to act without a written order of referral.

C. Actions Taken Without a Valid Order of Referral Are Void Ab Initio

20. The Texas appellate courts have repeatedly held that the absence of a valid order of referral deprives the associate judge of authority to act, rendering any orders or rulings void ab initio (*Mathis v. Graves*, No. 01-18-00789-CV (Tex. App. Oct. 31, 2019); *Vara v. Vara*, 645 S.W.3d 818 (Tex. App. 2022)). This includes not only substantive rulings but also procedural actions such as granting attorney withdrawal or consolidating cases. (APP 3, APP 4)

21. In *M.B. v. R.B.*, No. 02-19-00342-CV (Tex. App. Jun. 03, 2021), the court emphasized that the Family Code and local rules require a formal order of referral for an associate judge to have the authority to render final judgments. Without such an order, any actions taken by the associate judge, such as signing a proposed order denying an emergency motion or temporary orders, are legally ineffective. (APP 5, APP 6)

22. Here, the associate judge's actions—including the order of withdrawal of counsel (APP 4), the agreed order of consolidation (APP 3), and the temporary orders (APP 6)—were all taken without a valid order of referral. As such, they are void and of no legal effect, regardless of the merits of the underlying dispute.

D. The Defect Is Jurisdictional and Cannot Be Waived or Cured

23. The requirement for a formal order of referral is jurisdictional and cannot be waived by the parties or cured by agreement. The Texas Supreme Court and courts of appeals have made clear that party consent or acquiescence cannot confer authority on an associate judge in the absence of a valid referral order (*Office of the Attorney Gen. of Tex. v. C.W.H.*, 531 S.W.3d 178 (Tex. 2017)). Thus, even if the parties appeared before the associate judge or failed to object at the time, the orders remain void.

24. This principle is critical in the present case, where the relator's counsel presented a settlement agreement and the relator later proceeded pro se, but the absence of a referral order cannot be cured by these actions (Statement of Facts ¶ 5, 6; APP 2, APP 4).

E. The Absence of a Referral Order Is Not Cured by the Passage of Time or Subsequent Proceedings

25. The jurisdictional defect created by the absence of a referral order is not cured by the passage of time, subsequent court proceedings, or even the referring court's later adoption of the associate judge's orders (*Mathis v. Graves*, No. 01-18-00789-CV (Tex. App. Oct. 31, 2019)). The defect is fundamental and renders all actions taken by the associate judge void ab initio.

26. This is particularly significant in this case, where the relator has sought relief in multiple courts over a period of nearly two years (Statement of Facts ¶ 11; APP 10). The ongoing nature of the proceedings does not cure the original jurisdictional defect.

F. Mandamus Relief Is Warranted to Correct Void Orders and Prevent Manifest Injustice

27. Because the orders issued by Associate Judge Kaitcer are void for lack of jurisdiction, mandamus relief is appropriate and necessary. Texas appellate courts have repeatedly granted mandamus to correct void orders and prevent manifest injustice where a lower court or associate judge has acted without authority (*Graham v. Graham*, 414 S.W.3d 800 (Tex. App. 2013)).

28. The relator has diligently sought relief in multiple courts (Statement of Facts ¶ 11; APP 10), and to proceed to final trial under these circumstances would perpetuate the manifest injustice he has endured, particularly given the impact on his parental rights, his business, and the best interests of his minor children.

G. The Legal Consequences: Orders of Withdrawal and Consolidation Are Void

29. The legal consequences of the absence of a referral order are profound. The order of withdrawal of the relator's prior attorney, Dan Bacalis, is void, arguably keeping him as the attorney of record for the relator absent a valid order of withdrawal (APP 4). Similarly, the agreed order of consolidation is void, meaning

the protective order remains unconsolidated from the divorce (APP 3). All subsequent temporary orders and rulings by the associate judge are likewise void.

30. This procedural morass has resulted in a case that is, in effect, a legal quagmire, with significant consequences for the parties and the administration of justice, and requires the wisdom of this Court for corrective action.

IV. CONCLUSION

31. This case exemplifies the chaos and injustice that can result when statutory requirements for judicial authority are disregarded. The absence of a written order of referral from the district judge to the associate judge is not a mere technicality but a jurisdictional defect that renders all actions taken by the associate judge—including the order of withdrawal, the consolidation order, and subsequent temporary orders—void ab initio. As a result, Dan Bacalis remains the attorney of record, the protective order is not consolidated with the divorce, and all subsequent orders are legally ineffective.

32. The record and appendix confirm the absence of a referral order, and controlling statutes and case law leave no doubt that this defect cannot be cured by party agreement, subsequent proceedings, or the passage of time. Mandamus relief is not only appropriate but essential to restore order, protect the rights of the parties, and uphold the integrity of the judicial process. The court should grant the

writ, declare all actions taken by the associate judge void, and remand the case for proceedings consistent with Texas law.

V. PRAYER FOR RELIEF

33. WHEREFORE, PREMISES CONSIDERED, Relator respectfully prays that this Honorable Court:

- i. Grant the writ of mandamus;
- ii. Declare all actions taken by Associate Judge Jeffrey Kaitcer void ab initio due to the absence of a written order of referral, including the March 14, 2024, orders barring the Relator from his residence and business;
- iii. Remand the case for proceedings consistent with Texas law, ensuring that a proper referral order is issued before any further actions are taken by an associate judge; and
- iv. Grant any other relief to which Relator may be justly entitled.

Respectfully submitted,

/s/ Charles Dustin Myers

Charles Dustin Myers, Pro Se

Email: chuckdustin12@gmail.com

1209 BLAIRWOOD DRIVE

FLOWER MOUND, TEXAS 75028

Phone: 817-546-3693

PRO-SE RELATOR

Certification (TRAP 52.3(i))

Relator, Charles Dustin Myers, certifies that he has reviewed this petition and concluded that every factual statement in the petition is supported by competent evidence included in the appendix or record.

/s/ Charles Dustin Myers
CHARLES DUSTIN MYERS
PRO-SE RELATOR

Certificate of Compliance (TRAP 9.4(i)(3))

Pursuant to Texas Rule of Appellate Procedure 9.4(i)(3), Relator certifies that this document contains **2130 words**.

/s/ Charles Dustin Myers
CHARLES DUSTIN MYERS
PRO-SE RELATOR

No. _____-CV

**IN THE
SECOND COURT OF APPEALS**

IN RE: CHARLES DUSTIN MYERS, *RELATOR*.

Petition for Writ of Mandamus

from the 322nd Judicial District Court, Tarrant County

Cause Number 322-744263-23

Original Proceeding

Hon. James B. Munford Presiding

RELATOR'S APPENDIX

Respectfully submitted by:

Charles Dustin Myers
chuckdustin12@gmail.com
Tel.: 817-546-3693
1209 BLAIRWOOD DRIVE
FLOWER MOUND, TEXAS 75028
PRO-SE RELATOR

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APP 1

ITMOTMO/INRE

MORGAN MYERS

322-744538-23

§
§
§
§
§

IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

322ND JUDICIAL DISTRICT

RESET DATE AND TIME: 2/1/2024 AT 9:00 A.M.

1. Appearances:

- ☒ Petitioner/Movant appeared in person and by attorney COOPER CARTER
- ☒ Respondent appeared in person and by attorney DAN BACALIS
- ☐ _____

2. Issue(s): ☐ Custody ☐ Visitation ☐ Child Support ☐ Health Insurance ☐ CPS☒ DIVORCE TEMP. ORDERS & App. for P.O.

3. Order(s) or Agreement(s): MOTION for CONTINUANCES requested
by Petitioner. The COURT grants CONTINUANCES
AND RE-SETS ALL ISSUES FOR 2/1/2024
AT 9:00 A.M.

RESPONDENT, CHARLES MYERS to HAVE POSSESSION
OF the children from Friday, JAN 26, 2024, 6:00 PM - Sunday 1/28/24
RESPONDENT to pick up and drop-off children at
AT 6641 ANNE CT, WATAUGA, TX 76096

AGREED AS TO FORM AND SUBSTANCE:

Attorney for Petitioner

Petitioner

Attorney for Respondent

Respondent

SO ORDERED:

322nd Associate Judge

Date
APP 1.1

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

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Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	1/23/2024 8:14:14 AM	SENT
Cooper Carter		COOPERCARTER@MAJADMIN.COM	1/23/2024 8:14:14 AM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	1/23/2024 8:14:14 AM	SENT
Daniel Bacalis		DBACALIS@DBACALIS.COM	1/23/2024 8:14:14 AM	SENT



APP 2

AGREED

ASSOCIATE JUDGE'S REPORT FOR TEMPORARY ORDERS
(Suit Affecting the Parent-Child Relationship, Property and Debts)

DIVORCE WITH CHILDREN

CAUSE NUMBER: 322- 744263-23

MORGAN MYERS
AND
CHARLES MYERS

§
§
§

IN THE DISTRICT COURT
TARRANT COUNTY, TEXAS
322ND JUDICIAL DISTRICT

RESET DATE: _____

1. Appearances:

(☒) Petitioner/Movant appeared in person and by attorney COOPER CARTER
(☒) Respondent appeared in person and by attorney DAN BACALIS
() _____

2. Temporary Conservatorship:

A. (☒) Joint Managing Conservators: Primary Possession to (☒) Mother () Father () Other: _____

(☒) Mother and Father have the rights and duties under TEX. FAM. CODE ANN. §§ 153.073, 153.074

() Other has the rights and duties under TEX. FAM. CODE ANN. §§ 153.073, 153.074

() Mother () Father () Other have the rights, duties and privileges as set forth in TEX. FAM. CODE ANN. § 153.132 except as follows:

The (☒) Mother () Father () Other shall have the exclusive right to establish the residence of the child(ren) and residence of the child(ren) will be Tarrant County or counties contiguous to Tarrant County, TX and/or _____

The (☒) Mother (☒) Father () Other are enjoined from removing the child(ren) from Tarrant County or counties contiguous to Tarrant County, TX for the purpose of establishing the residence of the child(ren) and/or _____

The right to make educational decisions shall be by the (☒) Mother () Father () Other.



The right to make invasive surgical decisions shall be by mutual consent of the parties and failing to agree by the (☒Mother (☐Father (☐Other. The term "invasive" means elective surgical decisions.

The right to receive child support shall be by the (☒Mother (☐Father (☐Other_____

B. (☐Sole Managing Conservator: (☐Mother (☐Father (☐Other:_____

(☐Possessory Conservator: (☐Mother (☐Father (☐Other:_____

(☐Mother (☐Father (☐Other have the rights and duties under TEX. FAM. CODE ANN. §§ 153.073, 153.074

(☐Mother (☐Father and/or (☐Other have the rights, duties and privileges as set forth in TEX. FAM. CODE ANN. § 153.132.

(☐Residency Restriction to (☐Tarrant County (☐Tarrant & contiguous counties.

3. Temporary Possession Schedule:

(☐Texas Standard Family Code TEX. FAM. CODE ANN. §§ 153.311 THROUGH 153.316. All possession times begin and end at 6:00 p.m. except for Thursdays which ends at 8:00 p.m.

☒Texas "Extended" Standard Family Code TEX. FAM. CODE ANN. §§ 153.311 THROUGH 153.316. All possession times begin and end at the time school recesses or begins. Thursdays overnight, during the regular school year.

(☐Other:_____

(☒Mother (☐Father (☐Other shall surrender the child to the other person at the residence of (☒Mother (☐Father (☐Other at the beginning of each period of possession.

(☐Mother (☒Father (☐Other shall surrender the child to the other person at the residence of (☐Mother (☒Father (☐Other at the end of each period of possession.

4. Temporary Child Support:

(☐Mother (☒Father shall pay through the Texas State Disbursement Unit, P.O. Box 659791, San Antonio, TX 78265-9791 of \$ 973.19 per month beginning 4-1-2024



Medical Insurance on Child Provided by:

()Mother ()Father

Insurance Cost Paid by:

()Mother ~~()~~Father

Uncovered Medical, Dental & Vision Costs:

~~()~~Equally ()Mother to apply for
Medicaid

5. Additional Orders: _____

App. for Protective Order is non-suited

6. Temporary Spousal Support: N.A.

()Wife ()Husband shall pay direct to Spouse \$_____ per _____ beginning _____

7. Temporary Possession of Property:

Husband: 2021 MAZDA3, his personal prop.
& clothing 2023 MAZDA CX-8 (LEASED)RESPONDENT to vacate home at 6641 ANNE COURT
WATAUGA by MARCH 1, 2024Wife: 2007 MAZDA, her personal property
& clothing, 6641 ANNE COURT, WATAUGA,

8. Temporary Payment of Debts and Bills:

Husband: His living expenses: CAR PAYMENT, his auto ins
his telephone payment.
LEASE PAYMENT for HOMEStAD for FEBRUARY
& MARCH 2024

Wife: Her living expenses: her auto INSURANCE, her
telephone payment. LEASE payment on HOMEStAD
AFTER March 30, 2024

9. Temporary Injunctions:

☒ Mutual Temporary Injunctions as to Persons pursuant to the Texas Family Practice Manual.

☒ Mutual Temporary Injunctions as to Property pursuant to the Texas Family Practice Manual.

the parties to communicate through App Case

10. MISCELLANEOUS:

☒ The parties are to attend "Children in the Middle" part 1 and/or 2 by 5/1/24 and to file a certificate with the Court. Each to pay for their own costs.

☒ Neither party shall consume, use or have in their possession any illegal drug or drugs at any time nor shall they have, at any time, a legal drug or drugs in their possession for which that party does not have a prescription.

Neither party shall consume alcohol at least 12 hours prior to their time for possession of the child(ren).

Neither party shall consume alcohol during their period of possession with the child(ren).

Neither party shall attend one of the child(ren)'s activities if they have consumed alcohol or they are under the influence of alcohol.

Neither party shall leave the child(ren) with a person who is consuming alcohol at least 12 hours prior to taking possession of the child(ren) or has in their possession an illegal drug(s), including prescription drugs, as a childcare provider. No disparaging remarks in the presence of the child(ren) and no discussion of litigation or issues of the case with the child(ren).



(X) The parties are not to discuss the litigation or issues with the child(ren) about the other party. The aforementioned sentence means that neither party shall belittle, talk bad, refer to the other party using a profane name or names, profanity or curse words.

The parties are not to discuss the litigation or issues with the child(ren). This paragraph presumes the child(ren) is old enough to communicate with a party. The aforementioned sentence means that neither party shall discuss what occurred in Court including the testimony of any witness or witnesses with the child(ren).

A party is allowed to reasonably offer an age-appropriate statement to discuss the effect of an Order with the child(ren) with a brief statement or sentence. For example, a party is not allowed to show a document to the child(ren) and attempt to comprehensively discuss the case in detail with the child(ren).

A typed written Order conforming to this Report will follow within 20 days from the date this Report is signed. The Temporary Order shall be prepared by DAN BACALIS.

Each attorney should approve the Order. The parties do not need to approve the Order. The attorney reviewing the proposed Order shall have five (5) days to do so. There are no ten (10) day letters. If an agreement is not reached, a Motion to Sign shall be filed and set within thirty (30) days from the signing of this Report.

AGREED AS TO FORM AND SUBSTANCE

[Signature]
Attorney for Petitioner

[Signature]
Attorney for Respondent

[Signature]
Petitioner

[Signature]
Respondent

SO, ORDERED:

[Signature]
322ND Associate Judge

Date: FEBRUARY 1, 2024



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Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Cooper L.Carter		coopercarter@majadmin.com	2/8/2024 2:29:20 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Bacalis		service@dbacalis.com	2/8/2024 2:29:20 PM	SENT
Tammy L.Johnson		tjohnson@dbacalis.com	2/8/2024 2:29:20 PM	SENT
Daniel R.Bacalis		dbacalis@dbacalis.com	2/8/2024 2:29:20 PM	SENT
CHARLES MYERS		chuckdustin12@gmail.com	2/8/2024 2:29:20 PM	SENT



APP 3

CAUSE NO. 322-744538-23

IN THE MATTER OF THE
MARRIAGE OF
MORGAN MICHELLE MYERS
AND
CHARLES DUSTIN MYERS
AND
IN THE INTEREST OF
M [REDACTED] E [REDACTED] M [REDACTED] AND
C [REDACTED] R [REDACTED] M [REDACTED],
CHILDREN

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IN THE DISTRICT COURT

322ND JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

CAUSE NO. 322-744263-23

IN THE MATTER OF THE
MARRIAGE OF
MORGAN MICHELLE MYERS
AND
CHARLES DUSTIN MYERS
AND
IN THE INTEREST OF
MARA E [REDACTED] M [REDACTED],
C [REDACTED] R [REDACTED] M [REDACTED] AND
M [REDACTED] E [REDACTED] M [REDACTED],
CHILDREN

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IN THE DISTRICT COURT

322ND JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

AGREED ORDER FOR CONSOLIDATION

On January 16, 2024, the Court finds that consolidation of the above causes of action would be in the interest of judicial economy and convenience and that the parties agree to the consolidation. **IT IS ORDERED** that the Motion is **GRANTED**.

IT IS ORDERED that the above causes of action are to be consolidated under cause number 322-744263-23 in the 322ND District Court, TARRANT County, Texas. This is a suit for dissolution of marriage between the parties.



SIGNED on FEBRUARY 1, 2024.

Associate JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

Daniel R. Bacalis PC
669 Airport Freeway
Suite 307
Hurst, TX 76053
Office Phone: (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

Mark Altman & Johnson
2905 Lachland Road
Fort Worth, Texas 76116
Tel: 817-926-6211

Cooper L. Carter
State Bar No: 04121530
coopercarter@myadmin.com
Attorney for Morgan Myers

APPROVED AS TO FORM AND CONTENT:

M. Myers
MORGAN MICHELLE MYERS
~~Pro Se~~ Petitioner

CHARLES DUSTIN MYERS
Respondent



Automated Certificate of eService

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Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Cooper L.Carter		coopercarter@majadmin.com	2/8/2024 2:29:20 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Bacalis		service@dbacalis.com	2/8/2024 2:29:20 PM	SENT
Tammy L.Johnson		tjohnson@dbacalis.com	2/8/2024 2:29:20 PM	SENT
Daniel R.Bacalis		dbacalis@dbacalis.com	2/8/2024 2:29:20 PM	SENT
CHARLES MYERS		chuckdustin12@gmail.com	2/8/2024 2:29:20 PM	SENT



APP 4

IN THE MATTER OF THE
MARRIAGE OFMORGAN MICHELLE MYERS
AND
CHARLES DUSTIN MYERSAND IN THE INTEREST OF
M [REDACTED] E [REDACTED] M [REDACTED] AND
C [REDACTED] R [REDACTED] M [REDACTED],
CHILDREN§ IN THE DISTRICT COURT
§
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§ 322ND JUDICIAL DISTRICT
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§ 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, of 6641 Anne Court, Watauga, TX 76148 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

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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

APP 5

322ND FAMILY DISTRICT COURT
 322-744263-23
 ASSOCIATE JUDGE'S REPORT
 FOR TEMPORARY ORDERS

CAUSE NUMBER: 322 - 744263-23

ITMOTMO/INRE/ITIO

Myers

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IN THE DISTRICT COURT
 TARRANT COUNTY, TEXAS
 322ND JUDICIAL DISTRICT

1. It is ordered that Movant's motion ~~for~~ to vacate is denied.
2. It is ordered that Movant shall provide Mrs. ^{myers'} ~~Myers~~ attorney with a list of the technology he needs from the marital home, for his business.
3. It is ordered that the parties shall present a the Temporary orders ~~by~~ regarding the ACR ^{signed} ~~filed~~ on 2/11/2024 by 1:30pm today.

Approved as to form
[Signature]

Attorney for Petitioner

Attorney for Respondent

Court Notes that Respondent would not sign his report as to form. He did agree that Paragraphs 1 + 3 correctly reflected the Court's ruling after a hearing.

Petitioner

Respondent

SO ORDERED: He did not agree the Paragraph 2 accurately reflected the Court's ruling, but provided no alternative language; therefore the Court signed this report.

322nd Associate Judge

3/17/22

Date

[Signature]
 Associate Judge

Page ____ of ____



APP 6

CAUSE NO. 322-744263-23

IN THE MATTER OF
THE MARRIAGE OFMORGAN MYERS
AND
CHARLES MYERSAND IN THE INTEREST OF
M [REDACTED] M [REDACTED] AND C [REDACTED]
M [REDACTED], CHILDREN§
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IN THE DISTRICT COURT

322ND JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

TEMPORARY ORDERS

LJC
On February 8, 2024, the Court heard Petitioner's motion for temporary orders.

Appearances

Petitioner, MORGAN MYERS, appeared in person and through attorney of record, Cooper L. Carter, and announced ready and signed an Associate Judge's Report regarding Agreed Temporary Orders.

Respondent, CHARLES MYERS, appeared in person and through attorney of record, Daniel Bacalis, and announced ready and signed an Associate Judge's Report regarding Agreed Temporary Orders.

The parties have agreed to the terms of this order as evidenced by the signatures below.

Jurisdiction

The Court, after examining the record and the agreement of the parties and hearing the evidence and argument of counsel, finds that all necessary prerequisites of the law have been legally satisfied and that the Court has jurisdiction of this case and of all the parties.

Children

The following orders are for the safety and welfare and in the best interest of the



following children:

Name: M [REDACTED] MY [REDACTED]
Sex: Female
Birth date: 7 years
Home state: Texas

Name: C [REDACTED] M [REDACTED]
Sex: Female
Birth date: 5 years
Home state: Texas

Conservatorship

IT IS ORDERED that MORGAN MYERS and CHARLES MYERS are appointed Temporary Joint Managing Conservators of the following children: M [REDACTED] M [REDACTED] and C [REDACTED] M [REDACTED]

IT IS ORDERED that, at all times, MORGAN MYERS, as a parent temporary joint managing conservator, shall have the following rights:

1. the right to receive information from any other conservator of the children concerning the health, education, and welfare of the children;
2. the right to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the children;
3. the right of access to medical, dental, psychological, and educational records of the children;
4. the right to consult with a physician, dentist, or psychologist of the children;
5. the right to consult with school officials concerning the children's welfare and educational status, including school activities;
6. the right to attend school activities, including school lunches, performances, and field trips;
7. the right to be designated on the children's records as a person to be notified in case of an emergency;
8. the right to consent to medical, dental, and surgical treatment during an



emergency involving an immediate danger to the health and safety of the children; and

9. the right to manage the estates of the children to the extent the estates have been created by the parent's family or by the parent, other than by the community or joint property of the parent.

IT IS ORDERED that, at all times, CHARLES MYERS, as a parent temporary joint managing conservator, shall have the following rights:

1. the right to receive information from any other conservator of the children concerning the health, education, and welfare of the children;

2. the right to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the children;

3. the right of access to medical, dental, psychological, and educational records of the children;

4. the right to consult with a physician, dentist, or psychologist of the children;

5. the right to consult with school officials concerning the children's welfare and educational status, including school activities;

6. the right to attend school activities, including school lunches, performances, and field trips;

7. the right to be designated on the children's records as a person to be notified in case of an emergency;

8. the right to consent to medical, dental, and surgical treatment during an emergency involving an immediate danger to the health and safety of the children; and

9. the right to manage the estates of the children to the extent the estates have been created by the parent's family or by the parent, other than by the community or joint property of the parent.

IT IS ORDERED that, at all times, MORGAN MYERS and CHARLES MYERS, as parent temporary joint managing conservators, shall each have the following duties:

1. the duty to inform the other conservator of the children in a timely manner of significant information concerning the health, education, and welfare of the children;

2. the duty to inform the other conservator of the children if the conservator resides with for at least thirty days, marries, or intends to marry a person who the conservator knows is



registered as a sex offender under chapter 62 of the Texas Code of Criminal Procedure or is currently charged with an offense for which on conviction the person would be required to register under that chapter. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the fortieth day after the date the conservator of the children begins to reside with the person or on the tenth day after the date the marriage occurs, as appropriate. IT IS ORDERED that the notice must include a description of the offense that is the basis of the person's requirement to register as a sex offender or of the offense with which the person is charged. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE;

3. the duty to inform the other conservator of the children if the conservator establishes a residence with a person who the conservator knows is the subject of a final protective order sought by an individual other than the conservator that is in effect on the date the residence with the person is established. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the thirtieth day after the date the conservator establishes residence with the person who is the subject of the final protective order. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE;

4. the duty to inform the other conservator of the children if the conservator resides with, or allows unsupervised access to a child by, a person who is the subject of a final protective order sought by the conservator after the expiration of sixty-day period following the date the final protective order is issued. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the ninetieth day after the date the final protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE; and

5. the duty to inform the other conservator of the children if the conservator is the subject of a final protective order issued after the date of the order establishing conservatorship. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the thirtieth day after the date the final protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

IT IS ORDERED that, during her periods of possession, MORGAN MYERS, as parent temporary joint managing conservator, shall have the following rights and duties:

1. the duty of care, control, protection, and reasonable discipline of the children;
2. the duty to support the children, including providing the children with clothing, food, shelter, and medical and dental care not involving an invasive procedure;



3. the right to consent for the children to medical and dental care not involving an invasive procedure; and

4. the right to direct the moral and religious training of the children.

IT IS ORDERED that, during his periods of possession, CHARLES MYERS, as parent temporary joint managing conservator, shall have the following rights and duties:

1. the duty of care, control, protection, and reasonable discipline of the children;

2. the duty to support the children, including providing the children with clothing, food, shelter, and medical and dental care not involving an invasive procedure;

3. the right to consent for the children to medical and dental care not involving an invasive procedure; and

4. the right to direct the moral and religious training of the children.

IT IS ORDERED that MORGAN MYERS, as a parent temporary joint managing conservator, shall have the following rights and duty:

1. the independent right to consent to medical, dental, and surgical treatment involving invasive procedures;

2. the independent right to consent to psychiatric and psychological treatment of the children;

3. the independent right to receive and give receipt for periodic payments for the support of the children and to hold or disburse these funds for the benefit of the children;

4. the independent right to represent the children in legal action and to make other decisions of substantial legal significance concerning the children;

5. the independent right to consent to marriage and to enlistment in the armed forces of the United States;

6. the independent right to make decisions concerning the children's education;

7. except as provided by section 264.0111 of the Texas Family Code, the independent right to the services and earnings of the children;

8. except when a guardian of the children's estates or a guardian or attorney ad litem has been appointed for the children, the independent right to act as an agent of the children in



relation to the children's estates if the children's action is required by a state, the United States, or a foreign government;

9. the right, subject to the agreement of the other conservator, to apply for passports for the children, to renew the children's passports, and to maintain possession of the children's passports; and

10. the independent duty to manage the estates of the children to the extent the estates have been created by the community or joint property of the parent.

IT IS ORDERED that CHARLES MYERS, as a parent temporary joint managing conservator, shall have the following rights and duty:

1. the independent right to consent to medical, dental, and surgical treatment involving invasive procedures;

2. the independent right to consent to psychiatric and psychological treatment of the children;

3. the independent right to receive and give receipt for periodic payments for the support of the children and to hold or disburse these funds for the benefit of the children;

4. the independent right to represent the children in legal action and to make other decisions of substantial legal significance concerning the children;

5. the independent right to consent to marriage and to enlistment in the armed forces of the United States;

6. the independent right to make decisions concerning the children's education;

7. except as provided by section 264.0111 of the Texas Family Code, the independent right to the services and earnings of the children;

8. except when a guardian of the children's estates or a guardian or attorney ad litem has been appointed for the children, the independent right to act as an agent of the children in relation to the children's estates if the children's action is required by a state, the United States, or a foreign government;

9. the right, subject to the agreement of the other conservator, to apply for passports for the children, to renew the children's passports, and to maintain possession of the children's passports; and

10. the independent duty to manage the estates of the children to the extent the estates have been created by the community or joint property of the parent.



Notwithstanding any provision in this order to the contrary, IT IS ORDERED that MORGAN MYERS shall have the exclusive right to enroll the children in school. Each conservator, during that conservator's period of possession, is ORDERED to ensure the children's attendance in the schools in which MORGAN MYERS has enrolled the children.

The Court finds that, in accordance with section 153.001 of the Texas Family Code, it is the public policy of Texas to assure that children will have frequent and continuing contact with parents who have shown the ability to act in the best interest of the child; to provide a safe, stable, and nonviolent environment for the child; and to encourage parents to share in the rights and duties of raising their child after the parents have separated or dissolved their marriage. IT IS ORDERED that the primary residence of the children shall be within Tarrant County, Texas, and counties contiguous to Tarrant County, Texas, and the parties shall not remove the children from Tarrant County, Texas, and counties contiguous to Tarrant County, Texas for the purpose of changing the primary residence of the children until this geographic restriction is modified by further order of the court of continuing jurisdiction or by a written agreement that is signed by the parties and filed with that court.

Except as expressly provided otherwise in this temporary order, IT IS ORDERED that all information of which a conservator is required to notify the other conservator and all documents and information that a conservator is required to provide to the other conservator shall be sent in the following manner:

- a. delivery to the recipient at the recipient's electronic mail address as follows or to such other electronic mail address subsequently designated by the recipient:

MORGAN MYERS

morganm202@gmail.com



CHARLES MYERS

chuckdustic12@gmail.com

and in the event of any change in a recipient's electronic mail address, that recipient is ORDERED to notify the other recipient of such change in writing within twenty-four hours after the change.

If a party applies for a passport for the children, that party, is ORDERED to notify the other party of that fact no later than 10 days after the application.

IT IS ORDERED that if a parent's consent is required for the issuance or renewal of a passport, that parent shall provide that consent in writing no later than ten days after receipt of the consent documents, unless the parent has good cause for withholding that consent.

Possession and Access

IT IS ORDERED that nothing in this order shall supercede any term of any protective order or condition of bond, probation, or parole.

1. Standard Possession Order

IT IS ORDERED that each conservator shall comply with all terms and conditions of this Standard Possession Order. IT IS ORDERED that this Standard Possession Order is effective immediately and applies to all periods of possession occurring on and after the date the Court signs this Standard Possession Order. IT IS, THEREFORE, ORDERED:

(a) Definitions

1. In this Standard Possession Order "school" means the elementary or secondary school in which the child is enrolled or, if the child is not enrolled in an elementary or secondary school, the public school district in which the child primarily resides.

2. In this Standard Possession Order "child" includes each child, whether one or more, who is a subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

(b) Mutual Agreement or Specified Terms for Possession

IT IS ORDERED that the conservators shall have possession of the child at times mutually agreed to in advance by the parties, and, in the absence of



mutual agreement, it is ORDERED that the conservators shall have possession of the child under the specified terms set out in this Standard Possession Order.

(c) When Parents Reside 50 Miles or Less Apart

Except as otherwise expressly provided in this Standard Possession Order, when CHARLES MYERS resides 50 miles or less from the primary residence of the child, CHARLES MYERS shall have the right to possession of the child as follows:

1. Weekends –

On weekends that occur during the regular school term, beginning at the time the child's school is regularly dismissed, on the first, third, and fifth Friday of each month and ending at the time the child's school resumes after the weekend.

On weekends that do not occur during the regular school term, beginning at 6:00 P.M., on the first, third, and fifth Friday of each month and ending at 6:00 P.M. on the following Sunday.

2. Weekend Possession Extended by a Holiday –

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Friday during the summer months when school is not in session, that weekend period of possession shall begin at the time the child's school is regularly dismissed on the Thursday immediately preceding the student holiday or teacher in-service day and 6:00 p.m. on the Thursday immediately preceding the federal, state, or local holiday during the summer months.

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall end at 8:00 a.m. on Tuesday.

3. Thursdays - On Thursday of each week during the regular school term, beginning at the time the child's school is regularly dismissed and ending at the time the child's school resumes on Friday.

4. Spring Vacation in Even-Numbered Years - In even-numbered



years, beginning at the time the child's school is dismissed and ending at 6:00 P.M. on the day before school resumes after that vacation.

5. Extended Summer Possession by CHARLES MYERS –

With Written Notice by April 1 - If CHARLES MYERS gives MORGAN MYERS written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, CHARLES MYERS shall have possession of the child for thirty days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

Without Written Notice by April 1 - If CHARLES MYERS does not give MORGAN MYERS written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, CHARLES MYERS shall have possession of the child for thirty consecutive days in that year beginning at 6:00 P.M. on July 1 and ending at 6:00 P.M. on July 31.

Notwithstanding the Thursday periods of possession during the regular school term and the weekend periods of possession ORDERED for CHARLES MYERS, it is expressly ORDERED that MORGAN MYERS shall have a superior right of possession of the child as follows:

1. Spring Vacation in Odd-Numbered Years - In odd-numbered years, beginning at the time the child's school is dismissed and ending at 6:00 P.M. on the day before school resumes after that vacation.

2. Summer Weekend Possession by MORGAN MYERS - If MORGAN MYERS gives CHARLES MYERS written notice by April 15 of a year, MORGAN MYERS shall have possession of the child on any one weekend beginning at 6:00 P.M. on Friday and ending at 6:00 P.M. on the following Sunday during any one period of the extended summer possession by CHARLES MYERS in that year, provided that MORGAN MYERS picks up the child from CHARLES MYERS and returns the child to that same place and that the weekend so designated does not interfere with Father's Day possession. Not later than the fifteenth day before the Friday that begins the designated weekend, CHARLES MYERS must give MORGAN MYERS written notice of the location at which MORGAN MYERS is to pick up and return the child.

3. Extended Summer Possession by MORGAN MYERS - If MORGAN MYERS gives CHARLES MYERS written notice by April 15 of a year or gives CHARLES MYERS fourteen days' written notice on or after April 16 of a year, MORGAN MYERS may designate one weekend beginning no



earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation, during which an otherwise scheduled weekend period of possession by CHARLES MYERS shall not take place in that year, provided that the weekend so designated does not interfere with CHARLES MYERS's period or periods of extended summer possession or with Father's Day possession.

Notwithstanding the weekend and Thursday periods of possession of CHARLES MYERS, MORGAN MYERS and CHARLES MYERS shall have the right to possession of the child as follows:

1. Christmas Holidays in Even-Numbered Years - In even-numbered years, CHARLES MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed for the Christmas school vacation and ending at noon on December 28, and MORGAN MYERS shall have the right to possession of the child beginning at noon on December 28 and ending at 6:00 P.M. on the day before school resumes after that Christmas school vacation.

2. Christmas Holidays in Odd-Numbered Years - In odd-numbered years, MORGAN MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed for the Christmas school vacation and ending at noon on December 28, and CHARLES MYERS shall have the right to possession of the child beginning at noon on December 28 and ending at 6:00 P.M. on the day before school resumes after that Christmas school vacation.

3. Thanksgiving in Odd-Numbered Years - In odd-numbered years, CHARLES MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed before Thanksgiving and ending at 6:00 P.M. on the Sunday following Thanksgiving.

4. Thanksgiving in Even-Numbered Years - In even-numbered years, MORGAN MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed before Thanksgiving and ending at 6:00 P.M. on the Sunday following Thanksgiving.

5. Child's Birthday - If a parent is not otherwise entitled under this Standard Possession Order to present possession of a child on the child's birthday, that parent shall have possession of the child and the child's minor siblings beginning at 6:00 P.M. and ending at 8:00 P.M. on that day, provided that that parent picks up the child from the other parent's residence and returns the child to that same place.

6. Father's Day - CHARLES MYERS shall have the right to possession of the child each year, beginning at 6:00 P.M. on the Friday preceding



Father's Day and ending at 8:00 a.m. on the Monday after Father's Day, provided that if CHARLES MYERS is not otherwise entitled under this Standard Possession Order to present possession of the child, he shall pick up the child from MORGAN MYERS's residence and return the child to that same place.

7. Mother's Day - MORGAN MYERS shall have the right to possession of the child each year, beginning at the time the child's school is regularly dismissed on the Friday preceding Mother's Day and ending at the time the child's school resumes after Mother's Day, provided that if MORGAN MYERS is not otherwise entitled under this Standard Possession Order to present possession of the child, she shall pick up the child from CHARLES MYERS's residence and return the child to that same place.

(d) When Parents Reside More than 50 Miles but 100 Miles or Less Apart

Except as otherwise expressly provided in this Standard Possession Order, when CHARLES MYERS resides more than 50 Miles but 100 miles or less from the primary residence of the child, CHARLES MYERS shall have the right to possession of the child as follows:

1. Weekends –

On weekends that occur during the regular school term, beginning at the time the child's school is regularly dismissed, on the first, third, and fifth Friday of each month and ending at the time the child's school resumes after the weekend.

On weekends that do not occur during the regular school term, beginning at 6:00 P.M., on the first, third, and fifth Friday of each month and ending at 6:00 P.M. on the following Sunday.

2. Weekend Possession Extended by a Holiday –

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Friday during the summer months when school is not in session, that weekend period of possession shall begin at the time the child's school is regularly dismissed on the Thursday immediately preceding the student holiday or teacher in-service day and 6:00 p.m. on the Thursday immediately preceding the federal, state, or local holiday during the summer months.

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS ends on or is immediately followed by a student holiday or a teacher in-service day that falls on



a Monday during the regular school term, as determined by the school in which the child is enrolled, that weekend period of possession shall end at 8:00 a.m. on Tuesday.

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS ends on or is immediately followed by a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall end at 6:00 P.M. on that Monday.

3. Thursdays - On Thursday of each week during the regular school term, beginning at the time the child's school is regularly dismissed and ending at the time the child's school resumes on Friday.

4. Spring Vacation in Even-Numbered Years - In even-numbered years, beginning at the time the child's school is dismissed for the school's spring vacation and ending at 6:00 P.M. on the day before school resumes after that vacation.

5. Extended Summer Possession by CHARLES MYERS –

With Written Notice by April 1 - If CHARLES MYERS gives MORGAN MYERS written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, CHARLES MYERS shall have possession of the child for thirty days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

Without Written Notice by April 1 - If CHARLES MYERS does not give MORGAN MYERS written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, CHARLES MYERS shall have possession of the child for thirty consecutive days in that year beginning at 6:00 P.M. on July 1 and ending at 6:00 P.M. on July 31.

Notwithstanding the Thursday periods of possession during the regular school term and the weekend periods of possession ORDERED for CHARLES MYERS, it is expressly ORDERED that MORGAN MYERS shall have a superior right of possession of the child as follows:

1. Spring Vacation in Odd-Numbered Years - In odd-numbered years, beginning at the time the child's school is dismissed for the school's spring vacation and ending at 6:00 P.M. on the day before school resumes after that vacation.



2. Summer Weekend Possession by MORGAN MYERS - If MORGAN MYERS gives CHARLES MYERS written notice by April 15 of a year, MORGAN MYERS shall have possession of the child on any one weekend beginning at 6:00 P.M. on Friday and ending at 6:00 P.M. on the following Sunday during any one period of the extended summer possession by CHARLES MYERS in that year, provided that MORGAN MYERS picks up the child from CHARLES MYERS and returns the child to that same place and that the weekend so designated does not interfere with Father's Day possession. Not later than the fifteenth day before the Friday that begins the designated weekend, CHARLES MYERS must give MORGAN MYERS written notice of the location at which MORGAN MYERS is to pick up and return the child.

3. Extended Summer Possession by MORGAN MYERS - If MORGAN MYERS gives CHARLES MYERS written notice by April 15 of a year or gives CHARLES MYERS fourteen days' written notice on or after April 16 of a year, MORGAN MYERS may designate one weekend beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation, during which an otherwise scheduled weekend period of possession by CHARLES MYERS shall not take place in that year, provided that the weekend so designated does not interfere with CHARLES MYERS's period or periods of extended summer possession or with Father's Day possession.

(e) Parents Who Reside More Than 100 Miles Apart

Except as otherwise expressly provided in this Standard Possession Order, when CHARLES MYERS resides more than 100 miles from the residence of the child, CHARLES MYERS shall have the right to possession of the child as follows:

1. Weekends - Unless CHARLES MYERS elects the alternative period of weekend possession described in the next paragraph, CHARLES MYERS shall have the right to possession of the child on weekends beginning at 6:00 P.M., on the first, third, and fifth Friday of each month and ending at 6:00 P.M. on the following Sunday.

Alternate Weekend Possession - In lieu of the weekend possession described in the foregoing paragraph, CHARLES MYERS shall have the right to possession of the child not more than one weekend per month of CHARLES MYERS's choice beginning at 6:00 P.M. on the day school recesses for the weekend and ending at 6:00 P.M. on the day before school resumes after the weekend. CHARLES MYERS may elect an option for this alternative period of weekend possession by giving written notice to MORGAN MYERS within ninety days after the parties begin to reside more than 100 miles apart. If CHARLES MYERS makes this election, CHARLES MYERS shall give MORGAN MYERS



fourteen days' written or telephonic notice preceding a designated weekend. The weekends chosen shall not conflict with the provisions regarding Christmas, Thanksgiving, the child's birthday, and Mother's Day possession below.

2. Weekend Possession Extended by a Holiday –

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday during the summer months when school is not in session, that weekend period of possession shall begin at the time the child's school is regularly dismissed on the Thursday immediately preceding the student holiday or teacher in-service day and 6:00 p.m. on the Thursday immediately preceding the federal, state, or local holiday during the summer months

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term, as determined by the school in which the child is enrolled, that weekend period of possession shall end at 8:00 a.m. on Tuesday.

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by CHARLES MYERS ends on or is immediately followed by a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall end at 6:00 P.M. on that Monday.

3. Spring Vacation in All Years - Every year, beginning at 6:00 P.M. on the day the child is dismissed from school for the school's spring vacation and ending at 6:00 P.M. on the day before school resumes after that vacation.

4. Extended Summer Possession by CHARLES MYERS –

With Written Notice by April 1 - If CHARLES MYERS gives MORGAN MYERS written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, CHARLES MYERS shall have possession of the child for forty-two days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

Without Written Notice by April 1 - If CHARLES MYERS does not give



MORGAN MYERS written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, CHARLES MYERS shall have possession of the child for forty-two consecutive days beginning at 6:00 P.M. on June 15 and ending at 6:00 P.M. on July 27 of that year.

Notwithstanding the weekend periods of possession ORDERED for CHARLES MYERS, it is expressly ORDERED that MORGAN MYERS shall have a superior right of possession of the child as follows:

1. Summer Weekend Possession by MORGAN MYERS - If MORGAN MYERS gives CHARLES MYERS written notice by April 15 of a year, MORGAN MYERS shall have possession of the child on any one weekend beginning at 6:00 P.M. on Friday and ending at 6:00 P.M. on the following Sunday during any one period of possession by CHARLES MYERS during CHARLES MYERS's extended summer possession in that year, provided that if a period of possession by CHARLES MYERS in that year exceeds thirty days, MORGAN MYERS may have possession of the child under the terms of this provision on any two nonconsecutive weekends during that period and provided that MORGAN MYERS picks up the child from CHARLES MYERS and returns the child to that same place and that the weekend so designated does not interfere with Father's Day possession.

2. Extended Summer Possession by MORGAN MYERS - If MORGAN MYERS gives CHARLES MYERS written notice by April 15 of a year, MORGAN MYERS may designate twenty-one days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, during which CHARLES MYERS shall not have possession of the child, provided that the period or periods so designated do not interfere with CHARLES MYERS's period or periods of extended summer possession or with Father's Day possession. These periods of possession shall begin and end at 6:00 P.M. on each applicable day.

(f) Holidays

Notwithstanding the weekend and Thursday periods of possession of CHARLES MYERS, except when CHARLES MYERS resides fifty miles or less from the primary residence of the child, MORGAN MYERS and CHARLES MYERS shall have the right to possession of the child as follows:

1. Christmas Holidays in Even-Numbered Years - In even-numbered years, CHARLES MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed for the Christmas school vacation and ending at noon on December 28, and MORGAN MYERS shall have the right to possession of the child beginning at noon on December 28 and ending



at 6:00 P.M. on the day before school resumes after that Christmas school vacation.

2. Christmas Holidays in Odd-Numbered Years - In odd-numbered years, MORGAN MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed for the Christmas school vacation and ending at noon on December 28, and CHARLES MYERS shall have the right to possession of the child beginning at noon on December 28 and ending at 6:00 P.M. on the day before school resumes after that Christmas school vacation.

3. Thanksgiving in Odd-Numbered Years - In odd-numbered years, CHARLES MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed before Thanksgiving and ending at 6:00 P.M. on the Sunday following Thanksgiving.

4. Thanksgiving in Even-Numbered Years - In even-numbered years, MORGAN MYERS shall have the right to possession of the child beginning at the time the child's school is dismissed before Thanksgiving and ending at 6:00 P.M. on the Sunday following Thanksgiving.

5. Child's Birthday - If a parent is not otherwise entitled under this Standard Possession Order to present possession of a child on the child's birthday, that parent shall have possession of the child and the child's minor siblings beginning at 6:00 P.M. and ending at 8:00 P.M. on that day, provided that that parent picks up the child from the other parent's residence and returns the child to that same place.

6. Father's Day - CHARLES MYERS shall have the right to possession of the child each year, beginning at 6:00 P.M. on the Friday preceding Father's Day and ending at 8:00 a.m. on the Monday after Father's Day, provided that if CHARLES MYERS is not otherwise entitled under this Standard Possession Order to present possession of the child, he shall pick up the child from MORGAN MYERS's residence and return the child to that same place.

7. Mother's Day - MORGAN MYERS shall have the right to possession of the child each year, beginning at the time the child's school is regularly dismissed on the Friday preceding Mother's Day and ending at the time the child's school resumes after Mother's Day, provided that if MORGAN MYERS is not otherwise entitled under this Standard Possession Order to present possession of the child, she shall pick up the child from CHARLES MYERS's residence and return the child to that same place.

(g) Undesignated Periods of Possession

MORGAN MYERS shall have the right of possession of the child at all



other times not specifically designated in this Standard Possession Order for CHARLES MYERS.

(h) General Terms and Conditions

Except as otherwise expressly provided in this Standard Possession Order, the terms and conditions of possession of the child that apply regardless of the distance between the residence of a parent and the child are as follows:

1. Surrender of Child by MORGAN MYERS - MORGAN MYERS is ORDERED to surrender the child to CHARLES MYERS at the beginning of each period of CHARLES MYERS's possession at the residence of MORGAN MYERS.

If a period of possession by CHARLES MYERS begins at the time the child's school is regularly dismissed, MORGAN MYERS is ORDERED to surrender the child to CHARLES MYERS at the beginning of each such period of possession at the school in which the child is enrolled. If the child is not physically attending school, CHARLES MYERS shall pick up the child at the residence of MORGAN MYERS at 6:00 P.M., and MORGAN MYERS is ORDERED to surrender the child to CHARLES MYERS at the residence of MORGAN MYERS at 6:00 P.M. under these circumstances.

2. Surrender of Child by CHARLES MYERS - CHARLES MYERS is ORDERED to surrender the child to MORGAN MYERS at the residence of CHARLES MYERS at the end of each period of possession.

If a period of possession by CHARLES MYERS ends at the time the child's school resumes, CHARLES MYERS is ORDERED to surrender the child to MORGAN MYERS at the end of each such period of possession at the school in which the child is enrolled or, if the child is not physically attending school, at the residence of MORGAN MYERS at 6:00 P.M.

3. Surrender of Child by CHARLES MYERS - CHARLES MYERS is ORDERED to surrender the child to MORGAN MYERS, if the child is in CHARLES MYERS's possession or subject to CHARLES MYERS's control, at the beginning of each period of MORGAN MYERS's exclusive periods of possession, at the place designated in this Standard Possession Order.

4. Return of Child by MORGAN MYERS - MORGAN MYERS is ORDERED to return the child to CHARLES MYERS, if CHARLES MYERS is entitled to possession of the child, at the end of each of MORGAN MYERS's exclusive periods of possession, at the place designated in this Standard Possession Order.

5. Personal Effects - Each conservator is ORDERED to return with



the child the personal effects that the child brought at the beginning of the period of possession.

6. Designation of Competent Adult - Each conservator may designate any competent adult to pick up and return the child, as applicable. IT IS ORDERED that a conservator or a designated competent adult be present when the child is picked up or returned.

7. Inability to Exercise Possession - Each conservator is ORDERED to give notice to the person in possession of the child on each occasion that the conservator will be unable to exercise that conservator's right of possession for any specified period.

8. Written Notice - Written notice, including notice provided by electronic mail or facsimile or as otherwise authorized in this order, shall be deemed to have been timely made if received or, if applicable, postmarked before or at the time that notice is due. Each conservator is ORDERED to notify the other conservator of any change in the conservator's electronic mail address or facsimile number within twenty-four hours after the change.

9. Notice to School and MORGAN MYERS - If CHARLES MYERS's time of possession of the child ends at the time school resumes and for any reason the child is not or will not be returned to school, CHARLES MYERS shall immediately notify the school and MORGAN MYERS that the child will not be or has not been returned to school.

This concludes the Standard Possession Order.

2. Duration

The periods of possession ordered above apply to each child the subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

Child Support

IT IS ORDERED that CHARLES MYERS pay to MORGAN MYERS for the support of M [REDACTED] M [REDACTED] and C [REDACTED] M [REDACTED] nine hundred seventy-three dollars and nineteen cents (\$973.19) per month, with the first payment being due and payable on April 1, 2024 and a like payment being due and payable on the first day of each month thereafter until further order of this Court.



Withholding from Earnings

IT IS ORDERED that any employer of CHARLES MYERS shall be ordered to withhold the child support payments ordered in this order from the disposable earnings of CHARLES MYERS for the support of M [REDACTED] M [REDACTED] and C [REDACTED] M [REDACTED].

IT IS FURTHER ORDERED that all amounts withheld from the disposable earnings of CHARLES MYERS by the employer and paid in accordance with the order to that employer shall constitute a credit against the child support obligation. Payment of the full amount of child support ordered paid by this order through the means of withholding from earnings shall discharge the child support obligation. If the amount withheld from earnings and credited against the child support obligation is less than 100 percent of the amount ordered to be paid by this order, the balance due remains an obligation of CHARLES MYERS, and it is hereby ORDERED that CHARLES MYERS pay the balance due directly as specified below.

On this date the Court signed an Income Withholding for Support.

Payment

IT IS ORDERED that all payments shall be made through the state disbursement unit at Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, Texas 78265-9791, and thereafter promptly remitted to MORGAN MYERS for the support of the children. IT IS ORDERED that all payments shall be made payable to the Office of the Attorney General and include the ten-digit Office of the Attorney General case number (if available), the cause number of this suit, CHARLES MYERS's name as the name of the noncustodial parent (NCP), and MORGAN MYERS's name as the name of the custodial parent (CP). Payment options are found on the Office of the Attorney General's website at www.texasattorneygeneral.gov/cs/payment-options-and-types.



IT IS ORDERED that each party shall pay, when due, all fees charged to that party by the state disbursement unit and any other agency statutorily authorized to charge a fee.

Change of Employment

IT IS FURTHER ORDERED that CHARLES MYERS shall notify this Court and MORGAN MYERS by U.S. certified mail, return receipt requested, of any change of address and of any termination of employment. This notice shall be given no later than seven days after the change of address or the termination of employment. This notice or a subsequent notice shall also provide the current address of CHARLES MYERS and the name and address of his current employer, whenever that information becomes available.

Clerk's Duties

IT IS ORDERED that, on the request of a prosecuting attorney, the title IV-D agency, the friend of the Court, a domestic relations office, MORGAN MYERS, CHARLES MYERS, or an attorney representing MORGAN MYERS or CHARLES MYERS, the clerk of this Court shall cause a certified copy of the Income Withholding for Support to be delivered to any employer.

Medical and Dental Support

1. IT IS ORDERED that MORGAN MYERS and CHARLES MYERS shall each provide additional child support for each child as set out in this order for as long as the Court may order MORGAN MYERS and CHARLES MYERS to provide support for the child under sections 154.001 and 154.002 of the Texas Family Code. Beginning on the day MORGAN MYERS and CHARLES MYERS's actual or potential obligation to support a child under sections 154.001 and 154.002 of the Family Code terminates, IT IS ORDERED that MORGAN MYERS and CHARLES MYERS are discharged from these obligations with respect to that child, except for any failure by a parent to fully comply with these obligations before that date.



IT IS FURTHER ORDERED that the additional child support payments for costs of health and dental insurance ordered below are payable through the state disbursement unit or as directed below and subject to the provisions for withholding from earnings provided above for other child support payments.

2. Definitions -

"Health Insurance" means insurance coverage that provides basic health-care services, including usual physician services, office visits, hospitalization, and laboratory, X-ray, and emergency services, that may be provided through a health maintenance organization or other private or public organization, other than medical assistance under chapter 32 of the Texas Human Resources Code.

"Reasonable cost" means the total cost of health insurance coverage for all children for which MORGAN MYERS is responsible under a medical support order that does not exceed 9 percent of MORGAN MYERS's annual resources, as described by section 154.062(b) of the Texas Family Code.

"Health-care expenses" include, without limitation, medical, surgical, prescription drug, mental health-care services, dental, eye care, ophthalmological, and orthodontic charges but do not include expenses for travel to and from the provider or for nonprescription medication.

"Health-care expenses that are not reimbursed by insurance" ("unreimbursed expenses") include related copayments and deductibles.

3. Findings on Availability of Health Insurance - Having considered the cost, accessibility, and quality of health insurance coverage available to the parties, the Court finds:

IT IS FURTHER FOUND that the following orders regarding health-care coverage are in the best interest of the children.



4. Provision of Health-Care Coverage –

As Petitioner's child support, MORGAN MYERS is ORDERED to obtain Medicaid for the children the subject of this suit, and then maintain health insurance for the children as long as child support is payable for that child. MORGAN MYERS is ORDERED –

a. to provide to each conservator of the children the following information no later than the thirtieth day after she received Medicaid for the children:

- a. MORGAN MYERS' Social Security number;
- b. Proof that health insurance has been provided for the children;
- c. The following information and documents:
 - i. The name of the health insurance carrier;
 - ii. The number of the policy;
 - iii. A copy of the policy;
 - iv. A schedule of benefits;
 - v. A health insurance membership card;
 - vi. Claim forms; and
 - vii. Any other information necessary to submit a claim; and
- d. To provide each conservator of the children with a copy of any renewals or changes to the health insurance coverage of the children and any additional information regarding health insurance coverage of the children no later than the fifteenth day after MORGAN MYERS receives or is provided with the renewal, change, or additional information;
- e. To notify each conservator of the children of any termination or



lapse of health insurance coverage of the children no later than the fifteenth day after the date of the termination or lapse;

- f. After termination or lapse of health insurance coverage, to notify each conservator of the children of the availability to MORGAN MYERS of additional health insurance for the children no later than the fifteenth day after the date the insurance becomes available;
- g. After termination or lapse of health insurance coverage, to enroll the children in a health insurance plan that is available to MORGAN MYERS at a reasonable cost at the next available enrollment period.

Pursuant to section 1504.051 of the Texas Insurance Code, IT IS ORDERED that if MORGAN MYERS is eligible for dependent health coverage but fails to apply to obtain coverage for the children, the insurer shall enroll the children on application of CHARLES MYERS or others authorized by law.

5. Allocation of Unreimbursed Expenses -

The conservator who incurs a health-care expense on behalf of a child is ORDERED to provide to the other conservator receipts, bills, statements, or explanations of benefits showing the uninsured portion of the health-care expenses within thirty days after the incurring conservator receives them. The nonincurring conservator is ORDERED to pay the non-incurring conservator's percentage of the unreimbursed portion of the health-care expenses either by paying the health-care provider directly or by reimbursing the incurring conservator for any advance payment exceeding the incurring conservator's percentage of the unreimbursed portion of the health-care expenses within thirty days after the nonincurring conservator receives receipts, bills, statements, or explanations of benefits showing the unreimbursed portion of the



health-care expense.

For the Court to hold the nonincurring conservator in civil or criminal contempt for failing to pay the nonincurring conservator's percentage of the unreimbursed portion of a health-care expense, the incurring conservator must prove beyond a reasonable doubt that the nonincurring conservator personally received receipts, bills, statements, or explanations of benefits reflecting the unreimbursed portion of the health-care expense no later than thirty days after the incurring conservator received them. Even if the incurring conservator fails to meet that burden of proof, the Court may award the incurring conservator a judgment in the nature of child support against the nonincurring conservator in the amount of the unreimbursed portion of the health-care expense the nonincurring conservator was ordered but fail to pay.

6. WARNING - A PARENT ORDERED TO PROVIDE HEALTH INSURANCE OR DENTAL INSURANCE OR TO PAY THE OTHER PARENT ADDITIONAL CHILD SUPPORT FOR THE COST OF HEALTH INSURANCE OR DENTAL INSURANCE WHO FAILS TO DO SO IS LIABLE FOR NECESSARY MEDICAL EXPENSES OF THE CHILDREN, WITHOUT REGARD TO WHETHER THE EXPENSES WOULD HAVE BEEN PAID IF HEALTH INSURANCE OR DENTAL INSURANCE HAD BEEN PROVIDED, AND FOR THE COST OF HEALTH INSURANCE PREMIUMS, DENTAL INSURANCE PREMIUMS, OR CONTRIBUTIONS, IF ANY, PAID ON BEHALF OF THE CHILDREN.

7. Notice to Employer - On this date a Medical Support Notice was signed by the Court. For the purpose of section 1169 of title 29 of the United States Code, the conservator not carrying the health or dental insurance policy is designated the custodial parent and alternate recipient's representative.



No Termination of Orders on Death of Obligee

An obligation to pay child support under this order does not terminate on the death of MORGAN MYERS but continues as an obligation to M [REDACTED] M [REDACTED] and C [REDACTED] M [REDACTED]

*Other Child Related Provisions*Required Notices

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000.

THE COURT MAY MODIFY THIS ORDER THAT PROVIDES FOR THE SUPPORT OF A CHILD, IF:

- (1) THE CIRCUMSTANCES OF THE CHILD OR A PERSON AFFECTED BY THE ORDER HAVE MATERIALLY AND SUBSTANTIALLY CHANGED; OR
- (2) IT HAS BEEN THREE YEARS SINCE THE ORDER WAS RENDERED OR LAST MODIFIED AND THE MONTHLY AMOUNT OF THE CHILD SUPPORT AWARD



UNDER THE ORDER DIFFERS BY EITHER 20 PERCENT OR \$100 FROM THE AMOUNT THAT WOULD BE AWARDED IN ACCORDANCE WITH THE CHILD SUPPORT GUIDELINES.

Warnings to Parties

WARNINGS TO PARTIES: FAILURE TO OBEY A COURT ORDER FOR CHILD SUPPORT OR FOR POSSESSION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

FAILURE OF A PARTY TO MAKE A CHILD SUPPORT PAYMENT TO THE PLACE AND IN THE MANNER REQUIRED BY A COURT ORDER MAY RESULT IN THE PARTY'S NOT RECEIVING CREDIT FOR MAKING THE PAYMENT.

FAILURE OF A PARTY TO PAY CHILD SUPPORT DOES NOT JUSTIFY DENYING THAT PARTY COURT-ORDERED POSSESSION OF OR ACCESS TO A CHILD. REFUSAL BY A PARTY TO ALLOW POSSESSION OF OR ACCESS TO A CHILD DOES NOT JUSTIFY FAILURE TO PAY COURT-ORDERED CHILD SUPPORT TO THAT PARTY.

Property and Parties

The Court finds that the following orders respecting the property and parties are necessary and equitable.

IT IS ORDERED that MORGAN MYERS shall be responsible for the timely payment of the following:



1. The auto insurance for the vehicle in her possession;
2. the monthly payment for her cell phone;
3. the rent payment for the residence located at 6641 Anns Court, Watauga, Texas beginning after March 30, 2024.

IT IS ORDERED that CHARLES MYERS shall be responsible for the timely payment of the following:

1. The auto insurance for the 2021 Mazda, the 2023 Mazda, and any other vehicle currently in his possession;
2. the car payments for the 2021 Mazda, the 2023 Mazda, and any other vehicle currently in his possession;
3. the monthly payment for his cell phone;
4. the rent payment for the residence located at 6641 Anns Court, Watauga, Texas for February and March 2024.

IT IS ORDERED that Petitioner have the exclusive and private use and possession of the following property while this case is pending: the personal property and clothing in her possession, the 2007 Mazda motor vehicle currently in her possession, and the residence located at 6641 Anns Court, Watauga, Texas beginning March 30, 2024.

IT IS ORDERED that Respondent have the exclusive and private use and possession of the following property while this case is pending: the personal property and clothing in his possession, the 2021 Mazda motor vehicle, the 2023 Mazda motor vehicle, and the residence located at 6641 Anns Court, Watauga, Texas ONLY until March 20, 2024.

Co-Parenting Website

IT IS ORDERED that the parties are to attend "Children in the Middle" part 1 and/or 2



by May 1, 2024, and file a certificate of completion with the Court for their attendance to this co-parenting class.

IT IS FURTHER ORDERED that each party shall be solely liable for their own costs for the attendance of this co-parenting class.

App Close

IT IS ORDERED that MORGAN MYERS and CHARLES MYERS each shall, within ten days after the entry of the Associate Judge's Report is signed by the Court, obtain at his/her sole expense a subscription to the AppClose program. IT IS FURTHER ORDERED that MORGAN MYERS and CHARLES MYERS each shall maintain that subscription in full force and effect for as long as the child is under the age of eighteen years and not otherwise emancipated.

IT IS ORDERED that MORGAN MYERS and CHARLES MYERS shall each communicate through the AppClose program with regard to all communication regarding the children, except in the case of emergency or other urgent matter.

IT IS ORDERED that MORGAN MYERS and CHARLES MYERS each shall timely post all significant information concerning the health, education, and welfare of the children, including but not limited to the children's medical appointments, the children's schedules and activities, and request for reimbursement of uninsured health-care expenses, on the AppClose website. However, IT IS ORDERED that neither party shall have any obligation to post on that website any information to which the other party already has access through other means, such as information available on the website of the children's schools.

IT IS FURTHER ORDERED that MORGAN MYERS and CHARLES MYERS shall each timely post on the AppClose website a copy of any email received by the party from the



children's school or any health-care provider of the children, in the event that email was not also forwarded by the school or health-care provider to the other party.

For purposes of this section of this order, "timely" means on learning of the event or activity, or if not immediately feasible under the circumstances, not later than twenty-four hours after learning of the event or activity.

By agreement, the parties may communicate in any manner other than using the AppClose program, but other methods of communication used by the parties shall be in addition to, and not in lieu of, using the AppClose program.

Temporary Injunction

The temporary injunction granted below shall be effective immediately and shall be binding on the parties; on their agents, servants, employees, and attorneys; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise. The requirement of a bond is waived.

IT IS ORDERED that Petitioner and Respondent are enjoined from:

1. Intentionally communicating with the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm the other party.
2. Threatening the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, to take unlawful action against any person, intending by this action to annoy or alarm the other party.
3. Placing a telephone call, anonymously, at any unreasonable hour, in an offensive



and repetitious manner, or without a legitimate purpose of communication with the intent to annoy or alarm the other party.

4. Intentionally, knowingly, or recklessly causing bodily injury to the other party or to a child of either party.

5. Threatening the other party or a child of either party with imminent bodily injury.

6. Intentionally, knowingly, or recklessly destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties with intent to obstruct the authority of the Court to order a division of the estate of the parties in a manner that the Court deems just and right, having due regard for the rights of each party and the children of the marriage.

7. Intentionally falsifying any writing or record, including an electronic record, relating to the property of either party.

8. Intentionally misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any tangible or intellectual property of one or both of the parties, including electronically stored or recorded information.

9. Intentionally or knowingly damaging or destroying the tangible or intellectual property of one or both of the parties, including electronically stored or recorded information, and causing pecuniary loss or substantial inconvenience to the other party.

10. Intentionally or knowingly tampering with the tangible or intellectual property of one or both of the parties, including electronically stored or recorded information, and causing pecuniary loss or substantial inconvenience to the other party.

11. Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of one or both of the parties, whether personal property, real



property, or intellectual property, and whether separate or community property, except as specifically authorized by this order.

12. Incurring any debt, other than legal expenses in connection with this suit, except as specifically authorized by this order.

13. Withdrawing money from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.

14. Spending any money in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.

15. Withdrawing or borrowing money in any manner for any purpose from any retirement, profit-sharing, pension, death, or other employee benefit plan, employee savings plan, individual retirement account, or Keogh account of either party, except as specifically authorized by this order.

16. Withdrawing, transferring, assigning, encumbering, selling, or in any other manner alienating any funds or assets held in any brokerage account, mutual fund account, or investment account by one or both parties, regardless of whether the funds or assets are community or separate property and whether the accounts are self-managed or managed by a third party, except as specifically authorized by this order.

17. Withdrawing or borrowing in any manner all or any part of the cash surrender value of any life insurance policy on the life of either party or a child of the parties, except as specifically authorized by this order.

18. Entering any safe-deposit box in the name of or subject to the control of one or both of the parties, whether individually or jointly with others.

19. Changing or in any manner altering the beneficiary designation on any life



insurance policy on the life of either party or a child of the parties.

20. Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time this suit was filed of, any life, casualty, automobile, or health insurance policy insuring the parties' property or persons including a child of the parties.

21. Opening or diverting mail or email or any other electronic communication addressed to the other party.

22. Signing or endorsing the other party's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to the parties or the other party without the personal signature of the other party.

23. Taking any action to terminate or limit credit or charge cards in the name of the parties or the other party, except as specifically authorized in this order.

24. Discontinuing or reducing the withholding for federal income taxes from either party's wages or salary.

25. Destroying, disposing of, or altering any financial records of the parties, including but not limited to a canceled check, deposit slip, and other records from a financial institution, a record of credit purchases or cash advances, a tax return, and a financial statement.

26. Destroying, disposing of, or altering any email, text message, video message, or chat message or other electronic data or electronically stored information relevant to the subject matter of this case, whether stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.

27. Modifying, changing, or altering the native format or metadata of any electronic



data or electronically stored information relevant to the subject matter of this case, whether stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.

28. Deleting any data or content from any social network profile used or created by either party or a child of the parties.

29. Using any password or personal identification number to gain access to the other party's email account, bank account, social media account, or any other electronic account.

30. Consuming, use or have in their possession any illegal drug or drugs at any time nor shall they have, at any time, a legal drug or drugs in their possession for which that party does not have a prescription.

31. Neither party shall consume alcohol at least 12 hours prior to their time for possession of the children.

32. Neither party shall consume alcohol during their period of possession with the children.

33. Neither party shall attend one of the children's activities if they have consumed alcohol or they are under the influence of alcohol.

34. Neither party shall leave the children with a person who is consuming alcohol at least 12 hours prior to taking possession of the children or has in their possession an illegal drug(s), including prescription drugs, as a childcare provider.

35. No disparaging remarks in the presence of the children and no discussion of litigation or issues of the case with children.

36. The parties are not to discuss the litigation or issues with the children about the other party. The aforementioned sentence means that neither party shall belittle, talk bad, refer to



the other party using a profane name or names, profanity or curse words.

37. The parties are not to discuss the litigation or issues with the children.

38. Neither party shall discuss what occurred in Court including testimony of any witness or witnesses with the children.

IT IS ORDERED that Petitioner is further enjoined from:

1. Entering, operating, or exercising control over the 2021 Mazda motor vehicle and the 2023 Mazda motor vehicle in the possession of Respondent.

IT IS ORDERED that Respondent is further enjoined from:

1. Excluding Petitioner from the use and enjoyment of the residence located at 6641 Anns Court, Watagua, Texas on or after March 30, 2024;.

2. Entering, operating, or exercising control over the 2007 Mazda motor vehicle in the possession of Petitioner.

IT IS ORDERED that Petitioner is specifically authorized:

To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation, and medical care.

To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.

To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

IT IS ORDERED that Respondent is specifically authorized:

To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation, and medical care.

To make expenditures and incur indebtedness for reasonable attorney's fees and expenses



in connection with this suit.

For purposes of this order, "personal property" includes, but is not limited to, the following:

- a. cash, checks, traveler's checks, and money orders;
- b. funds on deposit in financial accounts with commercial banks, savings banks, and credit unions;
- c. funds and assets held in brokerage, mutual fund, and other investment accounts;
- d. publicly traded stocks, bonds, and other securities;
- e. stock options and restricted stock units;
- f. bonuses;
- g. closely held business interests;
- h. retirement benefits and accounts;
- i. deferred compensation benefits;
- j. insurance policies, annuities, and health savings accounts;
- k. motor vehicles, boats, airplanes, cycles, mobile homes, trailers, and recreational vehicles;
- l. money owed to one or both parties, including notes and expected income tax refunds;
- m. household furniture, furnishings, and fixtures;
- n. electronics and computers;
- o. antiques, artwork, and collections;
- p. sporting goods and firearms;
- q. jewelry and other personal items;



- r. pets and livestock;
- s. club memberships;
- t. travel award benefits and other award accounts;
- u. crops, farm equipment, construction equipment, tools, leases, cemetery lots, gold or silver coins not part of a collection, tax overpayments, loss carry-forward deductions, lottery tickets/winnings, stadium bonds, stadium seat licenses, seat options, season tickets, ranch brands, and business names;
- v. digital assets such as email addresses, social network accounts, Web sites, domain names, digital media such as pictures, music, e-books, movies, and videos, blogs, reward points, digital storefronts, artwork, and data storage accounts;
- w. virtual assets such as virtual pets, avatars, accessories for virtual characters, virtual prizes, virtual real estate, and virtual currency;
- x. safe-deposit boxes and their contents;
- y. storage facilities and their contents; and
- z. contingent assets.

Duration

These Temporary Orders shall continue in force until the signing of the Final Decree of Divorce or until further order of this Court.

SIGNED on March 14, 2024.

Associate 
JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

MARX ALTMAN & JOHNSON



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Daniel Bucalis
Attorney for Respondent
State Bar No. 01487550
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APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE:


MORGAN MYERS
PETITIONER

CHARLES MYERS
RESPONDENT



Automated Certificate of eService

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Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	3/26/2024 3:19:25 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	3/26/2024 3:19:25 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Bacalis		service@dbacalis.com	3/26/2024 3:19:25 PM	SENT
Tammy L.Johnson		tjohnson@dbacalis.com	3/26/2024 3:19:25 PM	SENT
Daniel R.Bacalis		dbacalis@dbacalis.com	3/26/2024 3:19:25 PM	SENT
CHARLES MYERS		chuckdustin12@gmail.com	3/26/2024 3:19:25 PM	SENT

APP 7

APP 8

Texas Gov't Code § 54B.007 — Order of Referral

§ 54B.007 Order of Referral

(a) To refer cases to an associate judge, the referring court must issue an order of referral.

(b) The order of referral may limit the power or duties of an associate judge.

APP 9

Texas Family Code § 201.006 — Order of Referral

Current as of January 01, 2024 | Updated by FindLaw Staff

§ 201.006 Order of Referral

(a) In referring a case to an associate judge, the judge of the referring court shall render:

(1) an individual order of referral; or

(2) a general order of referral specifying the class and type of cases to be heard by the associate judge.

(b) The order of referral may limit the power or duties of an associate judge.

APP 10

RELATOR'S MANDAMUS TABLE

The following table represents the mandamus petitions filed in this matter by the Relator, Charles Dustin Myers:

<u>CASE NO.</u>	<u>RESPONDENT</u>	<u>FILED</u>	<u>DISPOSED</u>	<u>ISSUE</u>
<u>24-0395</u>	DISTRICT / ASSOCIATE JUDGES -322 ND	05.13.24	10.18.24	DUE PROCESS / CONSENT
<u>25-0361</u>	ASSOCIATE JUDGE –322 nd	05.01.25	08.15.25	VOID ORDER
<u>25-0367</u>	ASSOCIATE JUDGE – 233 rd	05.02.25	08.15.25	DUE PROCESS / MINISTERIAL DUTY
<u>25-0378</u>	DISTRICT JUDGE – 233 RD	05.07.25	08.15.25	DUE PROCESS / CASE CONSOLIDATION
<u>25-0426</u>	REGIONAL JUDGE – 8 TH ADMIN. REGION	05.19.25	08.15.25	RECUSAL PROCEDURES
<u>25-0458</u>	VISITING RETIRED CHIEF JUSTICE – 322 nd	05.27.25	08.29.25	RECUSAL PROCEDURES
<u>25-0861</u>	REGIONAL JUDGE – 8 TH ADMIN. REGION	09.25.25	10.10.25	RECUSAL PROCEDURES
25-TBD	DISTRICT JUDGE – 322 ND	10.30.25	-	JURISDICTIONAL

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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
HONORABLE JAMES BMUNFORD		LKBaker@tarrantcountytx.gov	10/30/2025 3:22:58 PM	SENT
COOPER LCARTER		COOPERCARTER@MAJADMIN.COM	10/30/2025 3:22:58 PM	SENT
DANIEL RBACALIS		dbacalis@dbacalis.com	10/30/2025 3:22:58 PM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	10/30/2025 3:22:58 PM	SENT
HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	10/30/2025 3:22:58 PM	SENT
CHARLES DMYERS		CHUCKDUSTIN12@GMAIL.COM	10/30/2025 3:22:58 PM	SENT