



**233-765358-25**

**EMERGENCY TRO AND  
ORDER SETTING HEARING**

**Dated: 03/24/2025**

233-765358-25

FILED  
TARRANT COUNTY  
3/24/2025 4:42 PM  
THOMAS A. WILDER  
DISTRICT CLERK

NO. 233-765358-25

IN THE 233<sup>RD</sup> DISTRICT COURT OF TARRANT COUNTY, TEXAS**IN RE: M.E.M., ET AL.****\*\*CHARLES DUSTIN MYERS, \*\***

Petitioner,

**MORGAN MICHELLE MYERS,**

Respondent.

2025-03-24

EMERGENCY MOTION FOR TRO

**TO THE HONORABLE COURT:**

Petitioner, CHARLES DUSTIN MYERS ("Father"), urgently brings before this court an EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER to be issued immediately and without prior notice to the Respondent, MORGAN MICHELLE MYERS ("Mother"), for the safety and welfare of their two minor children M.E.M. and C.R.M., the parties' biological children. The Respondent has been informed of this request for a TRO as well as her attorney, COOPER L. CARTER. Petitioner has received

no response from either individual. Swift injunctive relief is needed to safeguard the well-being of the children – including immediate medical needs, schooling needs, financial needs, and emotional needs that the Petitioner has the ability, desire, and duty to satisfy.

The Respondent has disrupted the stable living environment enjoyed by the children up until the Petitioner's unlawful exclusion on March 6, 2024. They have been left without a Father for over thirteen months without any legal justification and are now being raised by their elderly great-grandparents in place of their Father.

The forthcoming and undisputed facts uncover the true intent behind the Respondent's actions and clearly demonstrate the need for the Petitioner's immediate re-entry into their lives.

### **I. STATEMENT OF JURISDICTION**

This Court has jurisdiction, and the authority grants the requested relief because no valid existing orders bar such action. The only prior orders affecting the parties were issued in the 322nd District Court of Tarrant County, but those orders are void and of no legal effect. Under Texas Family Code § 201.013(b), an associate judge's order does not become final unless and until the referring district court judge signs the order.

Moreover, the orders claim that all parties agree to the terms of the order despite the Petitioner's signature being absent. In the prior proceedings (Cause Nos. 322-744263-23 in the 322nd District Court), an associate judge signed a "temporary" order on March 14, 2024 that purported to be an agreement between the parties. Critically, no district judge of the 322nd District Court ever signed or adopted that order, as required by law. TEX. FAM. CODE Sec. 201.013. Given this fact, the orders have no legal effect and

should be declared void by this court, or in the alternative, voidable, and vacated without delay. There is effectively no valid court order currently governing the parties' residence or conservatorship rights. This Court may therefore proceed to protect the children's welfare and the parties' rights as justice requires, unimpeded by the defective 322nd District Court order.

Furthermore, this court has jurisdiction because the Respondent cannot argue that the related cause number retains dominated jurisdiction. Texas law does allow a court to lose dominant jurisdiction if the party with the first suit proceeded in bad faith or the suit is not actively pursued. Both apply here, as demonstrated below. The first suit was unquestionably brought in bad faith, and the case hasn't been actively pursued for over six months by the opposition, leaving the children in procedural limbo and their needs unaddressed.

## **II. STATEMENT OF FACTS**

1. On December 12, 2023, Petitioner discovered over 6,500 text messages exchanged between the Respondent and an individual named DAMEN GAULT KAZLAUSKAS by checking the usage history on the joint AT&T account owned by the Respondent's grandmother and paid for by the Petitioner, who had access to the account. (these records are voluminous and will be provided at hearing)

2. On December 14, 2023, in response to this discovery, the Respondent made plans to visit the residence of an individual named DANIEL KENNETH BRANTHOOVER, her stepfather.

3. During this trip, the Respondent withdrew the entirety of funds within the joint marital bank account, totaling \$1,576, and transferred the funds to Mr. Branthoover's PayPal account, which is reflected in the Petitioner's bank statements as "dmb575".

4. The Respondent and Mr. Branthoover both admitted this transaction occurred via text message evidence.

5. The Petitioner requested the funds be returned on December 16, 2023, and informed Mr. Branthoover of the fund's intent being for the Children's Christmas gifts and household bills related to Petitioner's business operations.

6. The intentions of the trip to Mr. Branthoover's residence located in Yukon, Oklahoma were then made clear in his response when Mr. Branthoover informed the Respondent via text message that "he would be getting divorced" and that he "hope[s] [he] can help with the paperwork."

7. On December 17, 2023, the Petitioner was served an eviction notice by the Respondent's grandmother, which cited a protective order and a divorce as the grounds for eviction. Exhibit 5

8. On December 18, 2023, the Petitioner filed for divorce in the 322nd District Court of Tarrant County claiming financial indigency and waived the 60-day waiting period due to claiming an active protective order was in effect against Petitioner, as well as made the claim that she believed herself or the children would be abused or harassed if any contact info were given to Petitioner.

9. On December 19, 2023, Mr. Branthoover reached out via text message and informed the Petitioner not to contact "his client" any further.

10. On December 22, 2023, the Respondent filed for another protective order claiming that family violence had occurred on December 18, 2023, in the presence of the children.

Exhibit 8

11. On the same evening that she filed for protection, the Respondent can be seen at home with the Petitioner in no emergency. Exhibit 9

12. Between December 23 and January 16, the Petitioner and Respondent peacefully cohabitated with the children continuing their normal routine where the Petitioner stayed home and worked during the day and would pick the children up from school and care for them in the evenings and on weekends.

13. The Petitioner was responsible for the children's daily meals, bathing, helped in getting them ready for school, taking them to school, and picking them up from school throughout their lives alongside the Respondent.

14. On January 16, 2023, the 322nd District Court of Tarrant County ordered the Petitioner to vacate the matrimonial home at [REDACTED] Texas and the case was reset for January 22, 2024.

15. On January 19, 2024, Petitioner retained Dan Bacalis, a licensed attorney.

16. On January 22, 2024, after the reset hearing was already supposed to have started, RESPONDENT retained COOPER L. CARTER in the lobby of the 322nd

District Court on the fly and then requested a continuance, which was granted, and the case reset to February 1st, 2024.

17. On February 1, 2024, the parties appeared by counsel and entered into a settlement agreement via an Associate Judge's Report that had the following provisions ordered by the Associate Judge:

- i. A typed written Order conforming to this Report will follow within 20 days from the date this report is signed.
- ii. The order shall be prepared by DAN BACALIS.
- iii. Each attorney should approve the Order.
- iiii. The parties do not need to approve the Order.
- iiiii. The attorney reviewing the Order will have (5) days to do so.
- iiiii. There are no 10 day letters.
- iiiii. 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.

18. On February 5, 2024, Petitioner terminated the services of Dan Bacalis.

19. On February 8, 2024, Petitioner put the court on notice that he rescinded the agreement and filed an EMERGENCY MOTION TO RECONSIDER EVIDENCE AND VACATE TEMPORARY ORDERS containing the following exhibits:

DKT.53 - A.1 - TEXT RECORDS AND VISUALIZATIONS

DKT.54 - EXHIBIT A.2 - TEXT TO PAPA W

DKT.55 - EXHIBIT A.3 - FINANCIAL TRANSACTION

DKT.56 - EXHIBIT A.4 - OVERDRAWN ACCOUNT

DKT.57 - EXHIBIT A.5 - EVICTION NOTICE TORN

DKT.58 - EXHIBIT B.1 - DIVORCE PETITION

DKT.59 - EXHIBIT B.2 - DISMISSED EVICTION

DKT.60 - EXHIBIT C.1 - FILINGS REGARDING PROTECTIVE ORD

DKT.61 - EXHIBIT C.2 - 01.16.2024 RENDITION UNSIGNED

DKT.62 - EXHIBIT C.3 - RENDITION FOR JANUARY 22ND, 2024

21. On February 12, 2024, an order was rendered effectuating the termination of Dan Bacalis by the court.

22. On February 22, 2024, Petitioner filed a MOTION FOR PARTIAL SUMMARY JUDGEMENT with an attached parenting plan.

23. On February 27, 2024, a notice of hearing was filed with the clerk and scheduled the Petitioner's EMERGENCY MOTION TO RECONSIDER EVIDENCE AND VACATE TEMPORARY ORDERS for March 14, 2024.

24. On March 6, 2024, while walking his two children to school, the RESPONDENT ran inside the marital home and locked the Petitioner out of the home.

25. On March 14, 2024, RESPONDENT and her counsel, COOPER L. CARTER, were seen in the conference room preparing Temporary Orders moment before the hearing was to begin.



26. On March 14, 2024, Petitioner was handed a document titled "Temporary Orders" which had already been signed by the opposing party.

27. On page 1 of the orders, the orders claimed "All parties consent to the terms of these orders as evidenced by the signatures below."

28. On March 14, 2024, the Associate Judge denied the Petitioner's emergency motion.

29. On March 14, 2024, the Associate Judge adopted the Associate Judge's Report signed by the parties on February 1st and ordered the Petitioner to sign them by 1:30 P.M. that same day.

30. On March 26, 2024, the Temporary Orders signed on March 14, 2024, were filed with the clerk.

31. On March 26, 2024, the Petitioner filed a request for findings of fact and conclusions of law.

32. On April 8, 2024, the Petitioner filed a Petition for Writ of Mandamus in the Second Court of Appeals.

33. On April 10, 2024, the Petitioner's Petition for Writ of Mandamus was denied.

34. On April 22, 2024, the Petitioner filed a Motion for Rehearing in the Second

36. On April 24, 2024, Petitioner filed an OBJECTION to the MOTION FOR PRETRIAL CONFERENCE.

37. On April 25, 2024, Petitioner's motion for rehearing was denied.

38. On April 27, 2024, Petitioner filed a Motion for Reconsideration En Banc with the Second Court of Appeals.

39. On April 30, 2024, Petitioner filed a notice of completion regarding the 'children in the middle' course.

40. On May 2, 2024, Petitioner's motion for reconsideration en banc was denied.

41. On May 13, Petitioner filed a PETITION FOR WRIT OF MANDAMUS in the Texas Supreme Court.

42. On June 2, 2024, the RESPONDENT's grandmother called the Petitioner, raising several concerns regarding the children's well-being.

43. On June 28, 2024, the Texas Attorney General's Office filed an INTERVENTION.

44. On July 1, 2024, the Petitioner filed an OBJECTION TO INTERVENTION pleading.

45. On August 30, 2024, the Petitioner's mandamus was denied in the Texas Supreme Court.

46. On September 10, 2024, the Petitioner filed a MOTION FOR REHEARING in the Texas Supreme Court.

47. On September 17, 2024, the Petitioner served a REQUEST FOR DISCOVERY, PRODUCTION, AND ADMISSIONS on the opposing party.

48. On September 20, 2024, the Petitioner filed a RULE 12 MOTION TO SHOW AUTHORITY against COOPER L. CARTER.

49. On September 26, 2024, the Petitioner filed a MOTION FOR TEMPORARY ORDERS, later amended on September 27, 2024.

50. On October 7, 2024, the Petitioner filed a JOINT MOTION TO RECUSE the district and associate judges from the case.

51. Petitioner's motion for rehearing was denied by the Texas Supreme Court on October 18, 2024.

52. On November 1, 2024, Justice E. Lee Gabriel was assigned to hear the recusal motion.

53. On November 4, 2024, Petitioner filed a PRE-TRIAL MOTION IN LIMINE.

54. On November 6, 2024, the Petitioner requested confirmation from the clerk that Justice E. Lee Gabriel took her required Oath of Office.

55. On November 15, 2024, Petitioner filed a MOTION TO COMPEL DISCOVERY regarding the discovery requests sent on September 17, 2024.

56. On November 19, 2024, an order DENYING the recusal of the associate and district judges was filed with the clerk.

57. On December 12, 2024, the Petitioner filed a NOTICE OF REMOVAL with the 322nd District Court, and removed the case to the Northern District of Texas.

58. On December 14, 2024, the case was REMANDED by the Northern District of Texas for lack of subject matter jurisdiction.

59. On January 12, 2025, Petitioner filed a MOTION TO DISMISS FOR WANT OF PROSECUTION.

60. On March 18, 2025, Petitioner filed an original SAPCR and motion for injunctive relief with this court.

61. On March 22, 2025, the Petitioner learned through a family member that Respondent's public Facebook profile states "In a Relationship since February, 2024".

62. On March 22, 2025, the Petitioner informed the opposing party of this motion.

63. On March 23, 2025, the Petitioner filed this suit with this court seeking immediate and emergency relief given the extraordinary circumstances leading up to this point.

### **III. IMMEDIATE NEED FOR RELIEF**

64. Every day that Petitioner remains barred from his home and children inflicts irreparable injury on both Petitioner and the children. Irreparable harm means an injury that cannot be adequately compensated for money damages or corrected later. That is exactly the case here.

65. Petitioner is being deprived of the irreplaceable experience of parenting his children during their formative years. No amount of monetary compensation or later visitation can make up for the lost time, missed milestones, and emotional bonding that has been denied for over a year. Courts have recognized that interference with custodial or visitation rights constitutes irreparable harm, as time lost with one's child is gone forever. The children are likewise losing the benefit of a father's love, guidance, and daily care – a harm that is unquestionably irreparable. If this wrongful separation continues, the risk increases that the parent-child bond could be permanently damaged. Reunification becomes harder as more time passes; thus the urgency is extreme.

66. The children have been suffering confusion, instability, and emotional distress due to the sudden absence of Petitioner and the drastic changes imposed by Respondent. They went from having both parents in their daily life to seeing only one parent, with no satisfactory explanation. Respondents' insertion of a new father-figure (Mr. Kazlauskas) has exacerbated their confusion and anxiety. This kind of emotional turmoil in young children can lead to long-term psychological issues – a classic irreparable injury, as the court cannot later repair the trauma inflicted on a child's sense of security. Restoring Petitioner's presence is needed now to begin healing the damage and to reassure the children that their father has not abandoned them. The more time that passes, the deeper the potential harm to the children's mental health.

67. Petitioner's fundamental right to maintain his familial relationship with his children (protected by the U.S. and Texas Constitutions) is being violated. Such a violation is inherently irreparable. Deprivation of one's home – being ousted without cause – is also a profound personal harm for which there is no adequate remedy at law.

Petitioner has effectively been made a stranger to his own family and property based on false pretenses. If the Court does not act, the Petitioner will continue to suffer intangible harms such as loss of income, anguish, and the erosion of his role as a father, none of which can be quantified or compensated later.

#### **IV. THE RESPONDENT'S MISCONDUCT**

##### ***Perjury and Aggravated Perjury (Tex. Penal Code §§ 37.02–.03)***

68. Texas law makes it a crime to make false statements under oath. Perjury occurs when a person, with intent to deceive, makes a false statement under oath in a proceeding where an oath is required.

69. If the false statement is made in connection with an "official proceeding" and is material, it becomes Aggravated Perjury, a third-degree felony. In civil cases, knowingly submitting false affidavits or testimony can also constitute perjury and be treated as a fraud upon the court. Courts have recognized that false sworn statements in family law matters are serious misconduct, undermining the judicial process and potentially warranting sanctions or even criminal referral (e.g., *Skepnek v. Mynatt*, 8 S.W.3d 377, 381 (Tex. App. – El Paso 1999) (attorney sanctioned \$30,000 for filing false affidavit).

70. Here, Respondent swore to multiple false statements under oath, meeting all elements of perjury and aggravated perjury. For example:

##### ***False Affidavit of Indigency***

71. On December 18, 2023, Respondent filed a sworn "Affidavit of Inability to Pay" court costs, claiming she had only \$20 in her bank account. This statement was knowingly false. Just two days prior, Respondent had transferred \$1,576.00 in marital funds to herself, as confirmed by text messages with her relative (Dan Branthoover) on December 16. She then appeared in court swearing she was penniless and could not afford the \$400 filing fee. In that same affidavit, Respondent also lied that she alone paid certain expenses (two car loans and \$800 rent plus utilities), when in fact Petitioner had been paying those bills; he continued to pay for the vehicles Respondent claimed to finance on her own. Bank statements and financial records will clearly establish this fact on the merits. Respondent's counsel has never refuted these facts. Thus, Respondent made multiple false statements under oath, meeting Penal Code § 37.02. Because these affidavits were filed in court proceedings and were material to the case (securing a fee waiver and influencing the court's actions), they also qualify as aggravated perjury under § 37.03. Each false statement was material to issues before the court (Respondent's financial status and credibility), satisfying the materiality requirement.

***False Statements in Protective Order Filings***

72. Respondent submitted false sworn statements in her applications for protective orders. Texas Family Code § 82.009 requires that an application for a temporary ex parte protective order "contain a detailed description of the facts" of alleged family violence and be sworn as true by the applicant. Respondent sought an ex parte protective order on or about Dec. 14, 2023, claiming abuse, yet on Dec. 22, 2023, she was photographed laughing and playing with the children alongside Petitioner – conduct wholly inconsistent with someone in fear of imminent harm. In fact, that same day, she

had applied for a second protective order against the Petitioner with similar allegations. No credible evidence of family violence was ever presented in thirteen months of litigation but has been used as a barrier from accessing the home where the Petitioner is needed.

73. The contextual evidence of falsity (her normal familial behavior with Petitioner the same day she sought Protection) defeated her sworn claims of "fear" or violence and display that they were indeed fabricated. At the very least, her contradictory sworn assertions – e.g. claiming on Dec. 18 to have an "active" protective order based on family violence (to justify a divorce waiver) when in truth none existed – demonstrate a reckless disregard for the truth under oath.

74. These false protective order filings were not isolated incidents but part of a calculated strategy to remove Petitioner from the family home and children's lives. The timing of these filings—immediately after the discovery of Respondent's extramarital relationship with Mr. Kazlauskas—reveals their true purpose: not to protect against genuine violence, but to preemptively silence Petitioner and prevent him from exposing Respondent's infidelity and financial misconduct. By falsely claiming fear while simultaneously engaging in normal family activities with Petitioner, Respondent demonstrated the fabricated nature of her allegations.

75. The pattern of deception is unmistakable: Respondent drained the family bank account on December 15-16, filed false indigency claims on December 18, falsely claimed an existing protective order in her divorce petition that same day, then filed yet another protective order application on December 22—all while continuing to interact



normally with Petitioner at home. This coordinated sequence of events shows a premeditated plan to use the legal system as a weapon against Petitioner rather than as the shield of protection it was designed to be.

### *Controlling Law*

76. False testimony or affidavits in a civil proceeding can warrant severe consequences. While the proper remedy for "intrinsic" fraud (false statements on issues litigated at trial) is often a new trial or sanctions rather than voiding a judgment, courts do not hesitate to act on clear perjury. Texas courts have inherent authority to address fraud on the court, and criminal prosecution for aggravated perjury is a possibility for egregious lies under oath. Indeed, aggravated perjury in court proceedings is a felony punishable by 2–10 years' imprisonment (Tex. Penal Code § 37.03(b)).

77. That is precisely what has occurred in this case, and Respondent should face some consequences for her actions, but Petitioner believes that prolonged incarceration would not be in the best interests of his children, but that some form of legal repercussion is necessary to deter similar behavior in the future. She has made no effort to defend these claims, no effort to prosecute her case, and the Petitioner prays that this court realize the severity of this situation on those effected most: the children.

### **V. BEST INTEREST OF THE CHILDREN**

78. The Texas Family Code references "the best interest of the child" 109 times throughout its text, and throughout the entirety of the code itself – the word "always" only appears once. TEX. FAM. CODE. Sec. 153.002. (The best interest of the child shall

always be the primary consideration of the court in determining the issues of conservatorship and possession of and access to the child.)

79. Here, this statutory mandate was grossly violated by the Respondent and her purported counsel, who have suddenly become active in the litigation here despite remaining silent for over eight months in the parallel case destined for dismissal.

80. Indeed, the instant case reveals a Mother with an agenda to erase the parent the children relied on the most from their lives despite a valid legal reason, and has disregarded their livelihood in the process.

81. Respondent's conduct constitutes a blatant violation of the "best interest" standard mandated by Texas Family Code §§ 153.001 and 153.002. Texas law declares it the public policy of this state to assure that children have frequent and continuing contact with parents who act in the child's best interest, to provide a safe and stable environment for the child, and to encourage both parents to share in raising the child. Moreover, the best interest of the child must always be the court's primary consideration in matters of conservatorship and access. Respondent has flagrantly defied these principles by prioritizing her extramarital relationship with Mr. Damen Kazlauskas over the emotional, psychological, and familial stability of her own children.

***Orchestrated Campaign of Deception at the Family's Expense***

82. The evidence reveals a disturbing pattern: Respondent orchestrated a comprehensive campaign of deception that sacrificed her children's emotional well-being and family stability to pursue her extramarital relationship. This was not a series of isolated incidents but a calculated strategy that unfolded in precise sequence:

83. First, Respondent engaged in an extramarital relationship with Mr. Kazlauskas (evidenced by over 6,500 text messages);

84. Second, upon discovery of this relationship, she immediately sought assistance from Mr. Branthoover to draft legal documents;

85. Third, she drained the family's financial resources (\$1,576) that were intended for the children's Christmas gifts;

86. Fourth, she filed false protective order applications and a fraudulent indigency affidavit;

87. Fifth, she misrepresented to the court that an active protective order existed when none did;

88. Finally, she used these fraudulent filings to remove Petitioner from the family home and children's lives.

89. Each step in this sequence was designed not to protect the children but to advance Respondent's personal agenda at their expense. The children have been collateral damage in Respondent's effort to reconstruct her life with Mr. Kazlauskas, who she now publicly acknowledges as her partner "since February 2024"—a relationship that began while she was still actively living with Petitioner and the children.

#### ***Deception and Psychological Confusion of the Children***

90. Respondent has knowingly misled the minor children about the status of their family by telling them that she and Petitioner are already divorced, even though the divorce is not final. This deliberate falsehood serves Respondent's personal narrative but

wreaks emotional havoc on the children. They are left in a state of confusion—believing their family has been permanently fractured when in fact the legal marriage remains intact. By intentionally misrepresenting such a fundamental truth, Respondent has shown a willingness to confuse and emotionally harm her children to justify her own choices, in direct contravention of her duty to prioritize the children's emotional well-being.

***Prioritizing an Extramarital Relationship Over Family***

91. Compounding the harm, Respondent is openly celebrating a relationship with Mr. Kazlauskas – a man with whom she entered an extramarital relationship while still married to Petitioner. She has flaunted this relationship and positioned Mr. Kazlauskas as a replacement father figure to the children, celebrating milestones with him that should be reserved for family. In doing so, Respondent elevates her personal relationship over her children's need for stability and continuity with their real father. This behavior sends the children a disturbing message: that their father's role in their lives is interchangeable or unimportant. Such a message is detrimental to the children's best interests, as it undermines their sense of security, identity, and trust in their family structure and the close relationship that they have shared with their father throughout their lives.

***Active Alienation and Erasure of the Father***

92. Respondent has gone to alarming lengths to minimize and erase Petitioner's presence in the children's lives. She has introduced Mr. Kazlauskas to the children as if he were a new parent, while simultaneously telling the children that Petitioner (their father) is no longer in their lives. This calculated act of alienation strikes at the very heart

of Texas public policy, which seeks to ensure children maintain frequent and continuing contact with both parents.

93. Instead of fostering the father–child relationship, Respondent has deliberately attempted to sever it. The children are being taught through Respondent's words and actions that their father has effectively disappeared and been substituted by a stranger, causing profound emotional damage and confusing the children about who their father is. This behavior is not only cruel; it is directly contrary to the children's best interests and Texas's clear directives that children benefit from the love and involvement of both parents.

93. The children's current living situation—being raised primarily by elderly great-grandparents rather than their capable and willing father—further demonstrates how Respondent's personal agenda has superseded the children's needs. Rather than allowing Petitioner to fulfill his parental role and provide daily care and support to the children, Respondent has relegated this responsibility to extended family members, depriving the children of their father's presence, guidance, and care during crucial developmental years.

94. Respondent's systematic use of false protective orders, perjured testimony, and procedural manipulation has created a legal fiction that has kept Petitioner from his children for over thirteen months. This separation was not based on any legitimate safety concern or the children's best interests, but solely on Respondent's desire to reconstruct her family unit with Mr. Kazlauskas at the center—effectively erasing Petitioner from the children's lives to accommodate her new relationship.

95. The harm to the children from this prolonged, unjustified separation from their father cannot be overstated. Research consistently shows that children benefit from the active involvement of both parents, and that unnecessary disruption of the parent-child bond can cause lasting psychological damage. By prioritizing her personal relationship over her children's need for both parents, Respondent has demonstrated a fundamental misalignment with the "best interest" standard that Texas law demands be the "primary consideration" in all matters affecting children.

96. Despite the Respondent's egregious actions, the Petitioner wishes her no ill will as she is the mother of his Children and only seeks an amicable path forward that suits their best interests. As of now, the Children need their father, and this situation engineered by the Respondent shows that her fitness as a parent has been called into question, and her priorities are not in the correct place. Petitioner vows his return to the family home will only bring much needed stability to his children and will be in their best interests for their day-to-day livelihood.

## **VI. PRAYER**

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully prays that this Honorable Court:

(1). Issue an immediate Temporary Restraining Order for the safety and welfare of the children without notice to Respondent, restraining Respondent from:

a. Denying Petitioner access to the children;

b. Denying Petitioner access to the family residence at [REDACTED],  
[REDACTED], Texas 7[REDACTED]

c. Disturbing the peace of the Children;

d. Disrupting the status quo of the children as it existed on March 6, 2024;

c. Removing the children from Tarrant County, Texas;

d. Making disparaging remarks about Petitioner to or in the presence of  
the children;

e. Interfering with Petitioner's possession of and access to the children;

f. Destroying, removing, concealing, encumbering, transferring, or  
otherwise harming or reducing the value of the property of the parties;

g. Falsifying any records relating to the children or property;

h. Misrepresenting any facts to the children regarding the marriage,  
divorce proceedings, or Petitioner's role in their lives;

i; Bringing the Children near DAMEN GAULT KAZLAUSKAS;

(5). Set a hearing on Petitioner's request for a Temporary Injunction at the earliest  
possible date not later than 14 days from the electronic delivery of this TRO to the  
Respondent;

(6). After hearing, issue a Temporary Injunction containing the same prohibitions  
as this Temporary Restraining Order;

(7). After trial, if no agreement can be reached, grant Petitioner primary conservatorship of the children;

(8). After trial, if no agreement can be reached, grant Petitioner exclusive possession of the family residence until damages can be fully restored and alternative residency can be established nearby the Children;

(10). Grant such other and further relief to which Petitioner may be justly entitled.

It's been a long road. The Petitioner prays he may now return home to his children and prepare for this difficult time in a manner which comports with their fundamental needs.

Thank you.

Respectfully submitted,

*/s/ Charles Dustin Myers*

CHARLES DUSTIN MYERS, Pro Se

[REDACTED]

[REDACTED]

Phone: 817-546-3693

Email: CHUCKDUSTIN12@GMAIL.COM

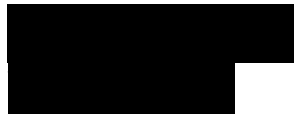


## CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 4.11(11)(e)

Petitioner certifies that after diligent attempts to reach both the Respondent and her Counsel, all attempts were unsuccessful.

/s/ Charles Dustin Myers

CHARLES DUSTIN MYERS



817-546-3693

CHUCKDUSTIN12@GMAIL.COM

**Automated Certificate of eService**

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Envelope ID: 98863782  
Filing Code Description: Proposed Order  
Filing Description: PROPOSED ORDER  
Status as of 3/26/2025 3:31 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	3/25/2025 2:10:47 PM	NOT SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	3/25/2025 2:10:47 PM	NOT SENT

Cause Number 233-765358-25

Print cause number and other court information exactly as it appears on the petition filed in this case.

In the interest of:

In the: (check one):

1. M.E.M.
2. C.R.M.
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

233

Court Number

☒ District Court  
☐ County Court at Law

Child(ren)

TARRANT County, Texas

## Temporary Restraining Order and Order Setting Hearing

On 03/24/2025 Date Petitioner, CHARLES DUSTIN MYERS Your full name  
presented a motion for a temporary restraining order to this Court.

Respondent's name is: MORGAN MICHELLE MYERS  
Respondent's full name

The child(ren) who are the subject of this suit are:

	Child's name	Date of Birth	Gender
1.	<u>M [REDACTED] E [REDACTED] M [REDACTED]</u>	<u>[REDACTED]</u>	<u>FEMALE</u>
2.	<u>C [REDACTED] R [REDACTED] M [REDACTED]</u>	<u>[REDACTED]</u>	<u>FEMALE</u>
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

1. The Court finds that the issuance of a temporary restraining order is necessary to protect the child(ren) who are the subject of this suit.

**IT IS THEREFORE ORDERED** that the Clerk of this Court issue a temporary restraining order that immediately restrains Respondent from doing the following:

(check off each restraint that the Judge orders at the hearing)

☐ Threatening the child(ren) with imminent bodily injury. (See Texas Family Code 6.501(a)(5))

☐ Causing bodily injury to the child(ren). (See Texas Family Code 6.501(a)(4))

☒ Disturbing the peace of the child(ren). (See Texas Family Code 105.001(a)(3))

- ☒ Removing the child(ren) beyond a geographic area identified by the Court. (See Texas Family Code 105.001(a)(4))
- ☒ Withdrawing the child(ren) from the school or day-care facility where they are presently enrolled without the written consent of Petitioner.
- ☒ Hiding or secreting the child(ren) from Petitioner.
- ☒ Engaging in any criminal activity while the child(ren) are in the Respondent's possession.
- ☐ Using alcohol or illegal drugs 24 hours prior to or during his/her possession of the child(ren).

2. The Court further finds that it clearly appears from specific facts shown by Petitioner's affidavit that immediate and irreparable injury or harm will result to the child(ren) before notice can be served and a hearing can be held.

The injury or harm to the child(ren) is:

The children are suffering daily from their father being prevented access to the marital home. The Respondent has prevented access since March 6, 2024, knowing the Petitioner's need for the residence to work. This has left the children without the care of either parent for the majority of the time, and are being told that the divorce has been finalized and that their father is a bad person.

The above injury or harm would be irreparable because:

Prior to the Respondent's removal, the Children were cared for both emotionally and financially by the Petitioner. The Respondent knowingly and willingly sabotaged this relationship to further her own agenda with a separate relationship.

The emotional well-being and stability of the children have been destroyed, and their stable life has been dismantled by the Respondent in bad faith. There exists no legal basis for the current situation to persist, and the children are already showing signs of distress, emotional trauma, and are beginning to struggle academically.

The children need the Petitioner's stable, nurturing care during this difficult time, and they will soon lose all access to their Father who will be homeless given the circumstances.

The temporary restraining order is granted without notice because:

The Petitioner has been fighting for over a year to get back into his residence to no avail. The Respondent has refused to participate, and continues to prioritize her new relationship over the children. Notice would only spark more deceptive legal actions from the Respondent to try and subvert justice.

Petitioner will be able to surprise the children by picking them up from school, and they will finally be reunited with their father,  
 something that they anticipate and desperately need. The Respondent has shown no ability to act in the children's best interests.

**It is therefore ordered that:**

☐ The bodies of the child(ren) be attached and that the child(ren) be placed in the possession of:

☐ The Petitioner

☐ The following person: \_\_\_\_\_  
 (See Texas Family Code 105.001(c)(1-2))

☐ Respondent is excluded from possession of or access to the child(ren) until notice can be served and a hearing can be held.

☐ Respondent's possession of or access to the child(ren) is limited as follows until notice can be served and a hearing can be held:

☐ Respondent is excluded from unsupervised possession of the child(ren).  
 Possession of the child(ren) shall be supervised by:

☐ Any person approved in writing by Petitioner

☐ A person approved by the Court: \_\_\_\_\_

☐ Respondent is excluded from overnight visits with the child(ren). Any day visits shall begin no earlier than \_\_\_\_\_ a.m. and shall end no later than \_\_\_\_\_ p.m.

☒ Respondent may not allow the child(ren) to have any contact with the following person(s):  
 DAMEN GAULT KAZLAUSKAS

☒ Respondent may not engage in the following acts during any periods of possession or access:

Respondent must not forbid the Petitioner from access to the marital home. Respondent must not disturb the peace of the children.

Respondent must maintain an amicable candor towards all members of the household.

Both parties must maintain the status quo as it was prior to the unlawful lockout of Petitioner which occurred on March 6, 2024.

3. This restraining order is effective immediately and will continue in full force and effect until it expires by its terms within a time period determined by the Court (not to exceed 14 days), unless within that time frame the order is extended for good cause shown, or unless the Respondent consents that it may be extended for a longer period. See Texas Rule of Civil Procedure 680.

This restraining order expires on the following date: 2025/04/12.

**THE VIOLATION OF A TEMPORARY RESTRAINING ORDER IS PUNISHABLE BY CONTEMPT AND THE ORDER IS SUBJECT TO AND ENFORCEABLE UNDER CHAPTER 157 OF THE TEXAS FAMILY CODE.** See Texas Family Code 105.001(f).

4. The requirement of a bond is waived. See Texas Family Code 105.001(d).

### Order to Appear

**IT IS ORDERED** that Petitioner's application for temporary injunction and temporary orders be scheduled for a hearing at the earliest possible date and that the Clerk of this Court issue notice to Respondent to appear in person before this Court at the following date, time, and place (as required by Texas Rule of Civil Procedure 680):

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

The purpose of the hearing is to determine whether the Court should order the following temporary relief while this case is pending:

- a. Convert the preceding temporary restraining order into a temporary injunction.
- b. Enter temporary orders for the safety and welfare of the child(ren), including but not limited to conservatorship, possession and access.
- c. Enter any other orders that are necessary for the safety and welfare of the child(ren).

SIGNED on \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ .m.

\_\_\_\_\_  
PRESIDING JUDGE

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 98863782  
Filing Code Description: Proposed Order  
Filing Description: PROPOSED ORDER  
Status as of 3/26/2025 3:31 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	3/25/2025 2:10:47 PM	NOT SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	3/25/2025 2:10:47 PM	NOT SENT

233-765358-25

TRO  
COMMUNICAT  
IONS



EXHIBIT 1  
TRO COMMUNICATIONS  
03/21/25



FUDSTOP &lt;chuckdustin12@gmail.com&gt;

## Notice of Temporary EX-Parte TRO

2 messages

FUDSTOP &lt;chuckdustin12@gmail.com&gt;

Fri, Mar 21, 2025 at 10:44 PM

To: Cooper Carter &lt;coopercarter@majadmin.com&gt;

Ms. Carter,

Pursuant to **Tarrant County Local Rule 3.30(c)**, this letter provides notice that I intend to present an **Emergency Ex Parte Application for Temporary Restraining Order (TRO)** seeking immediate relief in the interest of my children's well-being and to prevent irreparable harm to my property, family relationships, and ability to earn a living.

The TRO will **NOT** request **exclusive temporary use of the marital residence** but that if your client has issue, she has alternative housing and has used possession of the residence to damage my livelihood and restrict my parenting time. The application will include verified evidence supporting the necessity of immediate relief, including:

- Verified communications acknowledging my need for the home to work
- Records of financial losses from displacement (Airbnb receipts, business losses, etc.)
- Evidence of your client disposing of or concealing my personal property
- Proof that the children have been left unsupervised overnight by your client on multiple occasions.
- Documentation from the school showing excessive absences and academic concerns regarding M. [REDACTED]
- Text evidence between myself and the multiple AIRBNB hosts showcasing the difficulty faced in setting up operations outside of the reliable setup of the house.
- Photographs and texts contradicting claims made in previous pleadings
- Dental neglect of my youngest daughter (photos of untreated cavities)
- Financial documents showing I paid all vehicle and rent obligations, contrary to your client's claims
- Text messages between myself and the grandparents of your client showing we can be amicable during this situation and put the children first.
- Photo evidence showing the only way I have to communicate with my daughters is via an online game, ROBLOX, due to your client preventing communications.
- My criminal record showing that I have never been convicted of a violent crime.
- The current temporary orders which are facially void and can be collaterally attacked in any court at any time.

Again, there is absolutely zero reason to have me barred from the residence and strip the children of their parents. It contradicts the lodestone of the Family Code which is in the best interests of the children.

This is the more logical solution. If we pursued this route in the beginning, we'd already be divorced and the children's financial stability wouldn't have been sacrificed. There is no risk of danger. There is no risk of harm to the children. There is only the possibility of recovery. **That is in their best interests.**

There is no legal reason your client has to want me out of the house other than just that. She cannot unilaterally decide that I agree to everything and then do as she pleases with my personal belongings and neglect the children in multiple areas.

Your argument that I agreed to the orders in place falls flat on its face for many reasons which will not be repeated here.

I am providing this notice strictly to comply with **Local Rule 11(e)**. I will proceed to present the application to the Court **without further delay** due to the nature of the harm and urgency involved.

If you wish to discuss these matters, I'm happy to do so - otherwise I will inform the court that you **do not agree** to the orders upon submission.

This situation cannot continue, and the alternatives that are available must be pursued to uphold the best interests of the children before any further damage to their well-being is sustained.

Respectfully,  
**Charles Dustin Myers**

FUDSTOP &lt;chuckdustin12@gmail.com&gt;

Sat, Mar 22, 2025 at 3:17 PM

To: Cooper Carter &lt;coopercarter@majadmin.com&gt;, Morgan Wilson &lt;morganmw02@gmail.com&gt;

Cooper,

Petitioner (your client) filed the original divorce petition in December 2023 in the 322nd District Court (Cause No. 322-744263-23). In that petition, she alleged **false claims of family violence** and sought a waiver of the 60-day waiting period for divorce, ostensibly to expedite temporary relief by labeling me as an abuser and claiming she had an **active order of protection against me at the time of filing**.

On February 1, 2024, a temporary orders hearing was held before an **Associate Judge**. The parties (through counsel) announced an apparent agreement on temporary custody and other matters. The associate judge signed an "*Associate Judge's Report for Temporary Orders*", titled as "Agreed Temporary Orders." Importantly, this report **did not itself constitute a signed court order**; instead, it outlined the agreed terms and directed further action before any order would be final. Specifically, the report stated that **Respondent's attorney (Dan Bacalis) would prepare a formal temporary orders document**, which would be prepared from 20 days from the date of signing, which would have been **February 22nd, 2024**. It also required that **both attorneys were to approve it to form within 5 days (have 5 days to approve the order)**, and that if **no agreement on form was reached, a motion to sign would need to be filed within 30 days**. The report noted that the parties' personal approval was not required for entry of the order, implying the attorneys' sign-off or a court motion would suffice. No district judge signed an order at that time – the associate judge's report was essentially a **recommendation** to be formalized in a written order.

Immediately after the Feb 1 hearing, Respondent lost confidence in his attorney's actions and **fired his attorney**. Believing that the "agreement" did not reflect the child's best interests or was entered under false pretenses (due to Petitioner's unfounded allegations), Respondent promptly **withdrew his consent** to the announced terms. On February 5, 2024, *before any temporary order was signed by the court*, Respondent (now pro se) filed an *Emergency Motion to Reconsider and Vacate Temporary Orders*. This motion put the court on notice that Respondent **no longer consented** to the supposed agreed terms and that he objected to any temporary order being entered as announced.

Despite this, the reconsideration was denied and no findings were ever entered. In fact, the order **explicitly ordered Respondent to sign the orders to which he did not agree in violation of his own directives**.

**Texas law is clear that an associate judge's report or proposed order is not a final, enforceable court order unless and until it is adopted and signed by the referring court.** Under the Family Code, an associate judge may conduct hearings and recommend orders, but those recommendations *remain subject to approval by the district court judge*. Section 201.011 of the Texas Family Code provides that an associate judge's report "may contain the associate judge's findings, conclusions, or recommendations and may be in the form of a proposed order". In other words, the associate judge's report (even if titled "Temporary Orders") is essentially a *draft* or advisory decision; it does **not** itself carry the force of a court order until the proper procedures are completed.

Family Code § 201.013 unambiguously outlines how and when an associate judge's proposal becomes an order of the court. If a party timely requests a de novo hearing by the referring judge, the associate judge's proposed order may be enforced in the interim (except for certain matters) pending that hearing. **However, if no timely request for a de novo hearing is filed, the statute states that "the proposed order or judgment of the associate judge becomes the order or judgment of the referring court only on the referring court's signing the proposed order or judgment."**

Thus, absent a de novo appeal, an associate judge's recommendation **must be signed by the district judge** to have any legal effect. Until the judge signs it, it is merely a *proposed* order, not an actual court order.

Because the February 1, 2024 temporary orders were never signed or adopted by the court, Respondent was (and is) under no legal obligation to follow them, and neither party could properly enforce those terms through contempt or other remedies. A party cannot be held in contempt for violating a **non-existent court order**. Here, the "Agreed Temporary Orders" are, at most, an agreement between the parties that was not entered as a judgment. When Respondent withdrew his agreement (as discussed below), even that contractual underpinning fell apart. The Family Code's requirements were not met, and thus the purported temporary orders are **void ab initio** due to lack of rendition or entry by the referring court.

The stage is thus set for this Court to intervene, because as of now, **there is no operative temporary order governing the child's conservatorship or possession**.

**The Purported Temporary Orders Are Void and Subject to Collateral Attack in This SAPCR**

Because the February 1, 2024 temporary orders were never properly entered as a court order (and would have been invalid if entered without consent - which is clearly the case here), they are **void** and can be attacked in this proceeding. Generally, once a court renders a final judgment, parties are constrained to challenge that judgment on direct appeal or in the original case; *collateral attacks* on final judgments are disfavored. **However, only a void judgment is subject to collateral attack in a separate proceeding.** *Browning v. Prostok*, 165 S.W.3d 336, 346 (Tex. 2005) (“*Browning v. Placke*, 698 S.W.2d 362, 363 (Tex. 1985)”).

In this SAPCR, Respondent is effectively **collaterally attacking** the temporary orders from the divorce case by asserting their invalidity. Such a collateral challenge is permissible here because those orders are void. As the Texas Supreme Court has explained, “*Only a void judgment may be collaterally attacked.*” *Id.*

Accordingly, Respondent asks this Court to **formally declare** that the March 26, 2024 “Agreed Temporary Orders” (and any interlocutory rulings associated with them) in Cause No. 322-744263-23 are **void, of no effect, and not binding** on the parties. This declaration will remove any doubt or argument by Petitioner that those terms still govern the parties’ rights. It will also foreclose any attempt to enforce or rely on those non-orders (for example, in claims of violation or in arguing *res judicata*). The Court has the authority in equity and under the Uniform Declaratory Judgments Act (Tex. Civ. Prac. & Rem. Code chapter 37) to declare the rights and status of the parties vis-à-vis that prior proceeding – particularly given that the SAPCR directly concerns the child who was also at issue in the divorce temporary orders. Granting such relief is appropriate to prevent confusion and multiplicative litigation. Once the prior “orders” are declared void, this Court can proceed to issue fresh temporary orders for the child without any conflict or cloud from the divorce case.

In sum, the prior temporary orders are a legal nullity and this Court should treat them as such. The Court’s order declaring them void will simply recognize the reality that, due to the procedural faults and lack of consent, those orders never had legal existence. This clarification is critical to move forward in protecting the child’s welfare, as discussed next.

## Immediate Emergency Relief Is Necessary to Protect the Child’s Best Interest

**Every day that passes without a valid temporary order is a day of potential harm or uncertainty for the child.** The current situation – a divorce case stuck in limbo with no operative orders, and parents in dispute – is untenable for a child’s well-being. The child has effectively been living under an informal or contested arrangement since February 2024. Petitioner has acted as though she has primary custody under the (void) temporary orders, while Respondent has been sidelined and denied the normal possession or decision-making that a proper order (or a true agreement) would have provided him. This dynamic, fueled by Petitioner’s unproven allegations of family violence, has caused significant stress and instability for the child. Respondent fears that Petitioner is leveraging the appearance of an order to restrict his contact with the child and to make unilateral decisions that are not in the child’s best interest. Meanwhile, the divorce proceeding has not moved forward to a final resolution – **over 12 months** have elapsed since the March hearing, with no trial setting in sight. This stalemate directly affects the child: there is no clear court-sanctioned framework for conservatorship, visitation, or support, and your client has only introduced chaos into their lives.

This Court, now handling the SAPCR, has both the authority and the duty to step in and provide stability. Under Tex. Fam. Code § 105.001, “**the court may make a temporary order, including the modification of a prior temporary order, for the safety and welfare of the child,**” including orders for temporary conservatorship and possession.

The Family Code specifically empowers courts to act **expeditiously** to protect a child: if there is immediate danger to the child’s physical or emotional health, the court can even issue temporary orders **without notice** (such as a temporary restraining order) to address the emergency. Here, Respondent asserts that the child’s emotional welfare is indeed in jeopardy. The lack of a valid order has enabled Petitioner to marginalize Respondent’s role in the child’s life, purportedly under the guise of the void temporary orders. Petitioner’s false accusations of violence – never tested or proven in court – have created a pretext for her to limit Respondent’s access. Consequently, the child is being unjustly deprived of time and a relationship with Respondent, who has been a loving father with no history of abuse. This scenario is precisely what emergency temporary orders are designed to prevent. The Court should not allow a procedural quagmire to result in a child effectively losing a parent or receiving inferior care.

Most importantly, the “**best interest of the child**” is the **paramount consideration** in any conservatorship or possession decision. See 153.002 TEX. FAM. CODE.

All Texas courts must ensure that their orders first and foremost serve the child’s best interest. By that standard, continuing under the shadow of void orders and parental discord is plainly not in this child’s best interest. Instead, the child’s best interest calls for fresh, valid temporary orders that set forth clear, fair, and safe arrangements for custody and visitation while the parents’ disputes are resolved. The Court should craft these orders based on current evidence and the child’s needs – not based on an outdated and unconsented plan from February. The Family Code’s public policy (Tex. Fam. Code § 153.001) favors frequent, continuing contact with fit parents and stable environments free of violence or abuse. Here, Respondent is ready, willing, and able to care for the child and poses no danger, and he simply seeks a legal custody schedule that allows the child to have both parents in his life. Petitioner’s unsupported claims of family

violence (made to gain a litigation advantage) should not dictate the child's reality any longer, especially since those claims have not been substantiated in any court hearing.

## Why your consolidation motion and response are insufficient, and will fail, or be met with mandamus if granted (after reconsideration)

Normally, even without continuing *exclusive* jurisdiction, a prior *pending* suit would require the new suit to be consolidated or abated (as discussed above with § 6.407 and dominant jurisdiction). The mother (divorce petitioner) could argue that the original court "has jurisdiction" over the children by virtue of the pending divorce, so the SAPCR should not proceed separately. However, the **void nature of the prior temporary orders** is a game-changer. If those orders are void, then the original case has not effectively adjudicated anything regarding the children's current custody or support. The SAPCR petitioner can contend that because the prior orders are null, there is no valid existing order or active management of the children's case, and the new court is free to act in the children's best interests. This is the **EXACT argument made**. In effect, the argument is that the divorce case's jurisdiction over the children lapsed into dormancy or "dormant jurisdiction" due to your failure to prosecute the case.

It's important to distinguish *jurisdiction* from *orders*. The **continuing jurisdiction doctrine** would typically prevent a different court from issuing orders if a final order existed or if another court was actively handling the case. But here the SAPCR is filed in the *same county* as the divorce. There is no risk of two different counties competing; it's an internal issue. The SAPCR effectively asks the **court to take up a new cause number** and to recognize that the old cause has stalled and its orders are void.

**EVEN IF the void argument fails**, there is another nuance to this area of law. Despite the lack of a final order, the pending divorce still technically invokes the court's jurisdiction over the children. Typically, the proper course is to *revive or dismiss* the dormant divorce, rather than maintain a wholly separate SAPCR on the side. Texas courts adhere to the principle that the first suit filed (here, the divorce) should dominate; a later-filed suit concerning the same subject (the children) can be abated to prevent conflicting rulings. In fact, in *In re Shifflet*, for example, a party attempted parallel litigation regarding child custody, and the court emphasized that modifications must be filed in the court with jurisdiction over the original case

The **only exception** to the one-court rule is narrow. Texas law **does allow** a court to **lose dominant jurisdiction if the party with the first suit proceeded in bad faith or the suit is not actively pursued**. Both apply here. The first suit was unquestionably brought in bad faith, as the declaration of an active protective order being in effect against the Respondent was **an intentional fabrication designed to provide your client with an advantage**. Despite this, the Texas legislature should have prevented the first hearing from **ever happening, because 6.405b of the Texas Family Code** required your client to present the alleged order to the court **BEFORE ANY HEARING**.

## CONCLUSION

Thus, the SAPCR is appropriately before the court, and the only argument you made in your Response fails. The court denied my attempt to open this separate suit, requiring me to file a **17 page argument** as to why the case should be accepted, and then it was.

So your response **effectively mirrors the first denial from the court**, which amounts to no response being filed at all.

It is clear you are not representing your client in a manner to uphold the law or the best interests of the children, but to only appear when needed to obstruct the much needed justice that the children need and deserve.

This is my position.

Charles Dustin Myers



FUDSTOP &lt;chuckdustin12@gmail.com&gt;

**CAUSE# 233-765358-25 EX-PARTE TRO**

5 messages

**FUDSTOP** <chuckdustin12@gmail.com>  
To: FLCCoordinator@tarrantcountytx.gov

Wed, Mar 26, 2025 at 5:48 PM

Hello,

This is Charles Dustin Myers, Petitioner in the above captioned cause, and I received an automated reply deferring me to this email when originally reaching out to the Honorable Coordinator.

The original email's purpose was to inform the Honorable Coordinator that I had just received notification through the EFM that the emergency ex-parte TRO had been accepted by the court.

I am following up to inquire about the status of the request.

I thank you for your attention to this urgent matter, and I will wait for further directive from the court to proceed accordingly.

As mentioned in the motion, the Respondent in this matter and her counsel of record have been duly notified of the relief being sought and the motion itself, but have not responded to any attempts to communicate regarding this urgent matter.

Thank you and have a wonderful evening.

Respectfully,

Charles Dustin Myers  
[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)  
817-546-3693

**Tegan B. Allison** <TBAAllison@tarrantcountytx.gov>  
To: FUDSTOP <chuckdustin12@gmail.com>

Thu, Mar 27, 2025 at 8:45 AM

This order needs to be presented in person. Likewise, you need to inform opposing counsel of the date and time you intend to present this order to the court.

Thank you,

*Tegan Allison*

Auxiliary Court Coordinator

Tarrant County Family Law Center

Phone: (817)884-1614

[200 E Weatherford](#)[Fort Worth, TX 76196](#)[TBAAllison@tarrantcountytx.gov](mailto:TBAAllison@tarrantcountytx.gov)



**From:** FUDSTOP <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
**Sent:** Wednesday, March 26, 2025 5:49 PM  
**To:** Courts - FLC Coordinator <[FLCCoordinator@tarrantcountytx.gov](mailto:FLCCoordinator@tarrantcountytx.gov)>  
**Subject:** CAUSE# 233-765358-25 EX-PARTE TRO

You don't often get email from [chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com). [Learn why this is important](#)

**EXTERNAL EMAIL ALERT! Think Before You Click!**

[Quoted text hidden]

**FUDSTOP** <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
To: "Tegan B. Allison" <[TBallison@tarrantcountytx.gov](mailto:TBallison@tarrantcountytx.gov)>

Thu, Mar 27, 2025 at 8:59 AM

Ms. Allison,

Thank you for the update.

Is there a time available tomorrow to come and present the order? Preferably between 9am and 2pm?

I have informed the opposing party of the intent to present the order and will provide the time and date upon determination of the court's availability.

Thank you for your assistance.

Charles Dustin Myers  
[Chuckdustin12@gmail.com](mailto:Chuckdustin12@gmail.com)  
817-546-3693

[Quoted text hidden]



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**Tegan B. Allison** <[TBallison@tarrantcountytx.gov](mailto:TBallison@tarrantcountytx.gov)>  
To: FUDSTOP <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>

Thu, Mar 27, 2025 at 9:05 AM

You may present the order during that time. Please keep in mind that the court will be closed from 12pm-1:30pm for lunch and administrative tasks.

*Tegan Allison*

Auxiliary Court Coordinator

Tarrant County Family Law Center

Phone: (817)884-1614

200 E Weatherford

Fort Worth, TX 76196

[TBAllison@tarrantcountytx.gov](mailto:TBAllison@tarrantcountytx.gov)



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**From:** FUDSTOP <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
**Sent:** Thursday, March 27, 2025 9:00 AM  
**To:** Tegan B. Allison <[TBAllison@tarrantcountytx.gov](mailto:TBAllison@tarrantcountytx.gov)>  
**Subject:** Re: CAUSE# 233-765358-25 EX-PARTE TRO

**EXTERNAL EMAIL ALERT! Think Before You Click!**

Ms. Allison,

Thank you for the update.

Is there a time available tomorrow to come and present the order? Preferably between 9am and 2pm?

I have informed the opposing party of the intent to present the order and will provide the time and date upon determination of the court's availability.

Thank you for your assistance.

Charles Dustin Myers

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



817-546-3693

On Thu, Mar 27, 2025, 8:45 AM Tegan B. Allison <[TBallison@tarrantcountytx.gov](mailto:TBallison@tarrantcountytx.gov)> wrote:

This order needs to be presented in person. Likewise, you need to inform opposing counsel of the date and time you intend to present this order to the court.

Thank you,

*Tegan Allison*

Auxiliary Court Coordinator

Tarrant County Family Law Center

Phone: (817)884-1614

200 E Weatherford

Fort Worth, TX 76196

[TBallison@tarrantcountytx.gov](mailto:TBallison@tarrantcountytx.gov)

[Quoted text hidden]

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**FUDSTOP** <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
To: "Tegan B. Allison" <[TBallison@tarrantcountytx.gov](mailto:TBallison@tarrantcountytx.gov)>

Thu, Mar 27, 2025 at 9:19 AM

Ms. Allison,

Thank you very much.

I have informed opposing counsel that I intend to present the TRO tomorrow at 9:00 AM, the relief being sought, and if anything changes I will inform the court and likewise the opposing party.

Have a wonderful day.

Respectfully,

Charles Dustin Myers  
[Chuckdustin12@gmail.com](mailto:Chuckdustin12@gmail.com)  
817-546-3693

[Quoted text hidden]

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4 attachments

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EXHIBIT 2  
TRO COMMUNICATIONS  
03/24/25



FUDSTOP &lt;chuckdustin12@gmail.com&gt;

**RE ITIO MYERS CHILDREN, CAUSE NO. 233-765358-25 CL-12105**

3 messages

**Cooper Carter** <coopercarter@majadmin.com>

Mon, Mar 24, 2025 at 10:03 AM

To: "Angie D. Wierzbicki" &lt;ADWierzbicki@tarrantcountytx.gov&gt;

Cc: Charlie Vids &lt;chuckdustin12@gmail.com&gt;

Good Morning,

Opposing party is a pro se Petitioner in the above referenced case. He has filed a SAPCR petition regarding this matter. There is a current pending divorce case that encompasses issues regarding children. Our office has filed an Answer as well as a Motion to Consolidate and proposed order in this case to consolidate this SAPCR into the pending divorce proceeding in the 322<sup>nd</sup>.

Could you please provide dates and times that the Court is available to hear my motion?

Opposing party has been cc-ed to this e-mail for convenience.

Thank you,

Cooper L. Carter

Attorney at Law

Marx, Altman &amp; Johnson

2905 Lackland Road

Fort Worth, Texas 76116

Tel: (817) 926-6211

Fax: (817) 926-6188

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**WILL NOT RESPOND.**

**From:** Cooper Carter <[coopercarter@majadmin.com](mailto:coopercarter@majadmin.com)>  
**Sent:** Monday, March 24, 2025 10:03 AM  
**To:** Angie D. Wierzbicki <[ADWierzbicki@tarrantcountytx.gov](mailto:ADWierzbicki@tarrantcountytx.gov)>  
**Cc:** 'Charlie Vids' <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
**Subject:** RE ITIO MYERS CHILDREN, CAUSE NO. 233-765358-25 CL-12105

**EXTERNAL EMAIL ALERT! Think Before You Click!**

[Quoted text hidden]

**FUDSTOP** <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
To: "Angie D. Wierzbicki" <[ADWierzbicki@tarrantcountytx.gov](mailto:ADWierzbicki@tarrantcountytx.gov)>  
Cc: Cooper Carter <[coopercarter@majadmin.com](mailto:coopercarter@majadmin.com)>

Mon, Mar 24, 2025 at 10:15 AM

Ms. Wierzbicki, Mr. Carter,

Thank you for the update. However, I must respectfully object to the assertion that this is a mandatory consolidation.

Under Texas Rule of Civil Procedure 174(a), consolidation is discretionary and not automatic where doing so would cause delay, injustice, or prejudice to a party. Additionally, the Texas Supreme Court in *Curtis v. Gibbs*, 511 S.W.2d 263 (Tex. 1974) expressly carved out exceptions to dominant jurisdiction where:

The original case was filed in bad faith,

The case isn't been prosecuted;

Equity and justice require an independent forum.

All three conditions are present here. The SAPCR was filed in good faith after the 322nd case became procedurally stalled and legally defective—with no Notice of Remand, no evidentiary rulings on the children, and pending dispositive motions including unopposed requests for dismissal.

It would be prejudicial to the children to consolidate a case that had no ability to proceed.

Thank you.

Respectfully,  
Charles Dustin Myers  
Pro Se Petitioner

[Quoted text hidden]

**Angie D. Wierzbicki** <ADWierzbicki@tarrantcountytx.gov>  
To: Cooper Carter <coopercarter@majadmin.com>  
Cc: Charlie Vids <chuckdustin12@gmail.com>

Mon, Mar 24, 2025 at 10:08 AM

Good morning,

The Motion to Consolidate just needs to be filed in the 322<sup>nd</sup> Divorce case and sent to their Judge to sign; no hearing necessary, it's a mandatory consolidation.

Thank you,

*Angie D. Wierzbicki*

**Court Coordinator**

**233<sup>rd</sup> Judicial District Court**

**(817) 884-2686**

Tarrant County Family Law Center

200 E. Weatherford St., 5<sup>th</sup> Floor

Ft. Worth, TX 76196



**\*\*\*PLEASE NOTE: YOU MUST PROVIDE LOCAL COURT RULE DOCUMENTS IF YOU ARE SET FOR A HEARING IN EITHER COURT. FAILURE TO PROVIDE LOCAL COURT RULE DOCUMENTS COULD RESULT IN THE RESET OF YOUR CASE\*\*\***

**YOU MUST INCLUDE EVERYONE ON YOUR EMAIL COMMUNICATION. IF YOU FAIL TO INCLUDE OPPOSING COUNSEL OR SELF REPRE**

EXHIBIT 3  
TRO COMMUNICATIONS  
03/26/25



FUDSTOP &lt;chuckdustin12@gmail.com&gt;

**Notice**

1 message

FUDSTOP &lt;chuckdustin12@gmail.com&gt;

Wed, Mar 26, 2025 at 7:19 PM

To: Cooper Carter &lt;coopercarter@majadmin.com&gt;, Morgan Myers &lt;morganmw02@gmail.com&gt;

Friends on other side,

The Emergency EX-PARTE TRO has been filed and accepted by the court and is awaiting the judge's review.

If a hearing is required, I will CC Cooper in the email correspondence.

If a hearing is not required, I will serve each of you with a copy of the TRO and proposed order in accordance with the rules no later than seven days prior to the hearing.

The TRO has the following provisions:

**\* Respondent is PROHIBITED from preventing Petitioner from entering the matrimonial residence located at [REDACTED]**

**\* Respondent is PROHIBITED from disturbing the peace of the minor children named in this suit.**

**\* Petitioner and Respondent are PROHIBITED from acting without candor towards all members of the household in the presence of the children.**

**\* Respondent is PROHIBITED from bringing the children in the presence of DAMEN GAULT KAZLAUSKAS.**

**\* Respondent is PROHIBITED from taking the children outside of Tarrant County, Texas.**

These provisions, if granted, will be in effect until a full hearing is held no later than **14 days after the order is signed by the judge.**

Once the notice of hearing is served on all parties, I will be filing a motion for pre-trial conference to discuss the Rule 12 motion filed and served last week to ensure those issues are resolved prior to trial.

At the hearing, the relief I am seeking is to convert the provisions from the TRO into temporary injunctions which will be the exact same but will ask for them to remain until further order of the court and reset the status quo to March 6, 2024, which was the last peaceful time enjoyed by all parties prior to the Respondent's unlawful lockout.

If a continuance is needed in order to get your affairs in order for the Rule 12 conference, please reach out as I have no problem signing an agreed continuance if more time is needed.

I am not seeking sanctions at this time.

If granted, I believe the preceding details suit the best interests of M [REDACTED] and C [REDACTED], preserves their emotional and financial well-being, allows myself to repair the substantial damage caused from the prior thirteen months, promotes an amicable co-parenting relationship, and most importantly upholds Texas Law in ensuring that children have continuous, frequent access **to both parents** and that **parents are encouraged** to work together during and after divorce because doing so **is in their best interests.**

I'm not looking to punish, hurt, or ruin anyone. I'm simply looking to do what's best for the kids and start working together to finish this so we can all move on with our lives.

If you have any suggestions, modifications, or alternative solutions, please feel free to reach out and let me know, or schedule a time and place to meet in person that best meets your schedule.

M.2348  
Respectfully,

M.2348



Charles Dustin Myers  
[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)  
817-546-3693

EXHIBIT 4  
TRO COMMUNICATIONS  
*03/27/25*



FUDSTOP <chuckdustin12@gmail.com>

---

## TRO + Exhibits + Proposed Order

1 message

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FUDSTOP <chuckdustin12@gmail.com>

Thu, Mar 27, 2025 at 5:54 PM

To: Cooper Carter <coopercarter@majadmin.com>, Morgan Myers <morganmw02@gmail.com>

Attached for your reference is the TRO, proposed order, and exhibits.

Respectfully,


Charles Dustin Myers




[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)

---

### 3 attachments

 **emergency\_motion\_formatted (3) (2).pdf**  
273K

 **PROPOSED ORDER (2).pdf**  
185K

 **EXHIBITS - TRO.pdf**  
8784K



FUDSTOP &lt;chuckdustin12@gmail.com&gt;

**ITIO MORGAN CHILDREN, CAUSE NO. 233-765358-25 CL-12105**

6 messages

**Cooper Carter** <coopercarter@majadmin.com>  
To: "Angie D. Wierzbicki" <ADWierzbicki@tarrantcountytx.gov>  
Cc: Charlie Vids <chuckdustin12@gmail.com>

Thu, Mar 27, 2025 at 6:20 PM

Good Evening,

I have received communication from opposing party who is pro se that he will be walking through an Emergency TRO. Our office has a hearing scheduled for tomorrow morning in Parker County and is unable to attend. However, I will be available by cell phone regarding this matter if the udge would like to speak to me regarding the Emergency TRO. Please contact our office to patch me in for any calls that udge would like to have.

Additionally, this case already is pending in the 322<sup>nd</sup> for a divorce proceeding regarding property and children matters. We will be consolidating the case and walking it through the 322<sup>nd</sup> for signature next week.

Thank you,

Cooper L. Carter  
Attorney at Law

Marx, Altman & Johnson  
2905 Lackland Road  
Fort Worth, Texas 76116  
Tel: (817) 926-6211  
Fax: (817) 926-6188

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**FUDSTOP** <chuckdustin12@gmail.com>  
To: Cooper Carter <coopercarter@majadmin.com>

Thu, Mar 27, 2025 at 7:03 PM

Court staff,

Ms. Carter's recent correspondence is improper for several reasons, and appears to be an attempt to delay or interfere with proceedings in which she has otherwise failed to meaningfully participate in. The following reasons support this statement:

1. An objection to consolidation is already on file and remains unopposed. It cites controlling Texas precedent. Any suggestion that consolidation is agreed upon or inevitable is misleading. Instead, she should properly file with the court why the consolidation is improper or at the very least argue against Petitioner's position.

2. Ms. Carter has not fulfilled her obligation under Texas Rule of Civil Procedure 237a to file a Notice of Remand. Until she does, she is prohibited from proceeding or filing anything in the 322nd District Court as they currently do not have jurisdiction over this matter until this obligation is fulfilled.

3. Her authority to represent the Respondent remains under challenge pursuant to a Rule 12 motion filed September 20, 2024. No hearing has been held, no written statement of authority has been filed, and no ruling has been made. Until resolved, Rule 12 bars her from participating in either proceeding.

4. Ms. Carter has not prosecuted the case in the 322nd District Court in over eight months. This inaction has prejudiced the Petitioner and delayed resolution of urgent matters affecting the children.

5. She has failed to file any objections, responsive pleadings, or legal arguments opposing the relief requested—including the Emergency TRO now pending.

6. Rather than reaching out to Petitioner to resolve any scheduling conflict, Ms. Carter improperly attempted to influence the court by email. This violates the spirit of cooperation required by the rules, particularly where her participation is procedurally barred.

7. Ms. Carter's conduct appears designed to delay relief and subvert the best interest of the children, despite her failure to oppose the requested relief in any meaningful way.

8. She has been provided with full notice of the Emergency TRO, the proposed order, supporting exhibits, and the time and location of presentment. She has no legal basis to subvert Petitioner's due process rights.

In summary, Ms. Carter has not provided anything of substance in either Court, has not prosecuted the case, has not argued on behalf of her client, or followed proper procedure.

Simply labeling the opposition as pro se and claiming that the consolidation will be filed without disclosing the above facts is dishonest and should not be permitted as it will only cause further unnecessary delays to the relief being sought without any substance being provided.

Again, all of these points have been argued in both courts, and it is her duty as counsel to handle these matters in accordance with Texas Law.

These matters should be handled between the parties - not attempt to influence court staff after hours.

The reason we are here in the first place is due to the above unanswered facts. Ms. Carter has had ample time to file an objection, response, or counter argument, but has chosen not to do so.

It would've been far more appropriate for Ms. Carter to have reached out to me directly to discuss scheduling conflicts.

Prior to the latest email, there was no indication Ms. Carter intended to participate at all despite being provided with all relevant materials.

The court should disregard this email correspondence in its entirety for the reasons stated herein as it is highly prejudicial to Petitioner and the children.

Pro se litigants are expected to follow the rules of procedure to the same extent licensed attorneys are.

This email chain should be disregarded in its entirety.

Have a good evening.

Respectfully,  
Charles Dustin Myers  
Petitioner, Pro Se  
[Quoted text hidden]

---

**FUDSTOP** <chuckdustin12@gmail.com>

Thu, Mar 27, 2025 at 7:07 PM

To: Cooper Carter <coopercarter@majadmin.com>, "Angie D. Wierzbicki" <ADWierzbicki@tarrantcountytx.gov>

Court staff,

Ms. Carter's recent correspondence is improper for several reasons, and appears to be an attempt to delay or interfere with proceedings in which she has otherwise failed to meaningfully participate in. The following reasons support this statement:

1. An objection to consolidation is already on file and remains unopposed. It cites controlling Texas precedent. Any suggestion that consolidation is agreed upon or inevitable is misleading. Instead, she should properly file with the court why the consolidation is improper or at the very least argue against Petitioner's position.

2. Ms. Carter has not fulfilled her obligation under Texas Rule of Civil Procedure 237a to file a Notice of Remand. Until she does, she is prohibited from proceeding or filing anything in the 322nd District Court as they currently do not have jurisdiction over this matter until this obligation is fulfilled.

3. Her authority to represent the Respondent remains under challenge pursuant to a Rule 12 motion filed September 20, 2024. No hearing has been held, no written statement of authority has been filed, and no ruling has been made. Until resolved, Rule 12 bars her from participating in either proceeding.

4. Ms. Carter has not prosecuted the case in the 322nd District Court in over eight months. This inaction has prejudiced the Petitioner and delayed resolution of urgent matters affecting the children.

5. She has failed to file any objections, responsive pleadings, or legal arguments opposing the relief requested—including the Emergency TRO now pending.

6. Rather than reaching out to Petitioner to resolve any scheduling conflict, Ms. Carter improperly attempted to influence the court by email. This violates the spirit of cooperation required by the rules, particularly where her participation is procedurally barred.

7. Ms. Carter's conduct appears designed to delay relief and subvert the best interest of the children, despite her failure to oppose the requested relief in any meaningful way.

8. She has been provided with full notice of the Emergency TRO, the proposed order, supporting exhibits, and the time and location of presentment. She has no legal basis to subvert Petitioner's due process rights.

In summary, Ms. Carter has not provided anything of substance in either Court, has not prosecuted the case, has not argued on behalf of her client, or followed proper procedure.

Simply labeling the opposition as pro se and claiming that the consolidation will be filed without disclosing the above facts is dishonest and should not be permitted as it will only cause further unnecessary delays to the relief being sought without substance being provided.

EXHIBIT 5  
TRO COMMUNICATIONS  
03/28/25

Again, all of these points have been argued in both courts, and it is her duty as counsel to handle these matters in accordance with Texas Law.

These matters should be handled between the parties - not attempt to influence court staff after hours.

The reason we are here in the first place is due to the above unanswered facts. Ms. Carter has had ample time to file an objection, response, or counter argument, but has chosen not to do so.

It would've been far more appropriate for Ms. Carter to have reached out to me directly to discuss scheduling conflicts.

Prior to the latest email, there was no indication Ms. Carter intended to participate at all despite being provided with all relevant materials.

The court should disregard this email correspondence in its entirety for the reasons stated herein as it is highly prejudicial to Petitioner and the children.

Pro se litigants are expected to follow the rules of procedure to the same extent licensed attorneys are.

This email chain should be disregarded in its entirety.

Have a good evening.

Respectfully,  
Charles Dustin Myers  
Petitioner, Pro Se

[Quoted text hidden]

---

**Angie D. Wierzbicki** <ADWierzbicki@tarrantcountytx.gov>

Fri, Mar 28, 2025 at 9:15 AM

To: Cooper Carter <coopercarter@majadmin.com>

Cc: Charlie Vids <chuckdustin12@gmail.com>

Good morning,

Mr. Myers appeared before me to schedule the hearing for the TRO; my apologies I did not realize this was that same case. We can go ahead and set the TRO with us, but most likely the case will be transferred prior to the hearing date and the case needs to be transferred prior to that date.

Mr. Myers will be emailing with dates available for the hearing.

Thank you,

*Angie D. Wierzbicki*

**Court Coordinator**

**233<sup>rd</sup> Judicial District Court**

**(817) 884-2686**

**Tarrant County Family Law Center**

**200 E. Weatherford St., 5<sup>th</sup> Floor**

**Ft. Worth, TX 76196**



3/30/25, 5:10 PM



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**YOU MUST INCLUDE EVERYONE ON YOUR EMAIL COMMUNICATION. IF YOU FAIL TO INCLUDE OPPOSING COUNSEL OR SELF REPRESENTED LITIGANTS, I WILL NOT RESPOND.**

**From:** Cooper Carter <[coopercarter@majadmin.com](mailto:coopercarter@majadmin.com)>  
**Sent:** Thursday, March 27, 2025 6:20 PM  
**To:** Angie D. Wierzbicki <[ADWierzbicki@tarrantcountytx.gov](mailto:ADWierzbicki@tarrantcountytx.gov)>  
**Cc:** 'Charlie Vids' <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>  
**Subject:** ITIO MORGAN CHILDREN, CAUSE NO. 233-765358-25 CL-12105

**EXTERNAL EMAIL ALERT! Think Before You Click!**

[Quoted text hidden]

**Angie D. Wierzbicki** <[ADWierzbicki@tarrantcountytx.gov](mailto:ADWierzbicki@tarrantcountytx.gov)>  
**To:** Cooper Carter <[coopercarter@majadmin.com](mailto:coopercarter@majadmin.com)>  
**Cc:** Charlie Vids <[chuckdustin12@gmail.com](mailto:chuckdustin12@gmail.com)>

Fri, Mar 28, 2025 at 9:19 AM

Additionally, since there is an objection to the consolidation, y'all will need to reach out to request how to proceed with the 322<sup>nd</sup> as I am usure of their procedures.

Thank you,

*Angie D. Wierzbicki*

Court Coordinator

233<sup>rd</sup> Judicial District Court

(817) 884-2686

Tarrant County Family Law Center

200 E. Weatherford St., 5<sup>th</sup> Floor

Ft. Worth, TX 76196



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**YOU MUST INCLUDE EVERYONE ON YOUR EMAIL COMMUNICATION. IF YOU FAIL TO INCLUDE OPPOSING COUNSEL OR SELF REPRESENTED LITIGANTS, I WILL NOT RESPOND.**

[Quoted text hidden]

---

**FUDSTOP** <chuckdustin12@gmail.com>

To: "Angie D. Wierzbicki" <ADWierzbicki@tarrantcountytexas.gov>

Cc: Cooper Carter <coopercarter@majadmin.com>

Fri, Mar 28, 2025 at 9:59 AM

Hello all,

Sorry for the delay. I had to hunt down wifi.

Available dates are:

04/10/25 at 930 AM

04/09/25 at 130 PM

04/08/25 at 930 AM

04/07/25 at 130 PM

Any of these dates work for me.

Respectfully,

Charles Myers  
8175463693

[Quoted text hidden]



image001.png  
120K

# EXHIBIT 6

03/28/25

requirement of a bond is waived. See Texas Family Code §101.007(a).

### Order to Appear

IT IS ORDERED that Petitioner's application for temporary injunction and temporary orders be scheduled for a hearing at the earliest possible date and that the Clerk of this Court issue notice to Respondent to appear in person before this Court at the following date, time, and place (as required by Texas Rule of Civil Procedure 65b):

Date: April 10, 2025

Time: 9:30 AM

Address: 233rd Associate Court, 5th Floor  
700 E. Weatherford St., Ft. Worth, TX 76102

The purpose of the hearing is to determine whether the Court should order the following temporary relief while this case is pending:

- Convert the preceding temporary restraining order into a temporary injunction
- Enter temporary orders for the safety and welfare of the child(ren), including but not limited to conservatorship, possession and access.
- Enter any other orders that are necessary for the safety and welfare of the child(ren)

SIGNED on \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ m

\_\_\_\_\_  
PRESIDING JUDGE

EXHIBIT 7  
TRO COMMUNICATIONS  
04/03/2025



FUDSTOP &lt;chuckdustin12@gmail.com&gt;

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**RE MOTION FOR CONSOLIDATION CL-12105**2 messages

---

**Cooper Carter** <coopercarter@majadmin.com>  
To: Charlie Vids <chuckdustin12@gmail.com>

Thu, Apr 3, 2025 at 1:33 PM

Good Afternoon,

This is to inform you that I will be walking through the attached Motion for Consolidation and Proposed Order tomorrow morning at 9:00 a.m. in the 322<sup>nd</sup> for signature.

Thank you,

Cooper L. Carter  
Attorney at Law

Marx, Altman & Johnson  
2905 Lackland Road  
Fort Worth, Texas 76116  
Tel: (817) 926-6211  
Fax: (817) 926-6188

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---

**2 attachments**

**Motion to Consolidate V.1.pdf**  
13K

**Order on Motion to Consolidate V1.pdf**

10K

**FUDSTOP** <chuckdustin12@gmail.com>  
To: Cooper Carter <coopercarter@majadmin.com>

Thu, Apr 3, 2025 at 1:55 PM

Cooper,

I've already objected.

You have no legal authority to do so until you address my objection filed and served to you.

Furthermore, you have not sent the Notice required by rule 237a of the Texas Rules of Civil Procedure and have not shown you authority to represent the Petitioner in this matter.

Finally, you claimed to have been retained in your individual capacity yet are claiming Marx Altman and Johnson is filing pleadings on your behalf, and Roderick D. Marx is not a party in this suit nor has he made a formal appearance.

You're well aware of these obligations, and any order resulting from this motion will be challenged via the proper legal proceedings.

You cannot continue to disregard the rules of procedure, fail to respond to motions or evidence served to you, and continue to expect favors from the bench in leu of you performing your duties as a licensed attorneys.

You are put on notice that if any such motion is presented to the court in the face of the above facts or the unanswered objection already served to you, I will move for your disqualification immediately and will provide the Texas OAG with your information and detailed misconduct as well as the State Bar of Texas.

Further, you have not provided or served a copy of the proposed order which you intend to present, which is required.

This conversation will be filed and made apart of the official court record.

Respectfully submitted,

Charles Myers  
817-546-3693  
[Chuckdustin12@gmail.com](mailto:Chuckdustin12@gmail.com)

[Quoted text hidden]



**Automated Certificate of eService**

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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Filing Description: SAPCR Cover-letter  
Status as of 4/15/2025 12:57 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	4/15/2025 10:28:09 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	4/15/2025 10:28:09 AM	SENT
HOLLY HAYES		csd-filer-914@texasattorneygeneral.gov	4/15/2025 10:28:09 AM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	4/15/2025 10:28:09 AM	SENT