



FUDSTOP <chuckdustin12@gmail.com>

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

3 messages

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

Mon, Mar 24, 2025 at 10:03 AM

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 322nd.

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 & Johnson

2905 Lackland Road

Fort Worth, Texas 76116

Tel: (817) 926-6211

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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 322nd Divorce case and sent to their Judge to sign; no hearing necessary, it's a mandatory consolidation.

Thank you,

Angie D. Wierzbicki

Court Coordinator

233rd Judicial District Court

(817) 884-2686

Tarrant County Family Law Center

200 E. Weatherford St., 5th 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 REPRESENTED LITIGANTS, I

WILL NOT RESPOND.

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

EXTERNAL EMAIL ALERT! Think Before You Click!

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FUDSTOP <chuckdustin12@gmail.com>
To: "Angie D. Wierzbicki" <ADWierzbicki@tarrantcountytx.gov>
Cc: Cooper Carter <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

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