

NO. 24-0395

NO. ____ SW3d ___, 04-10-24

NO. 322-744263-23 & NO. 322-744538-23

Morgan Michelle Myers v Charles Dustin Myers

JOINT MOTION TO RECUSE

Proceedings arising from the 322nd District Court

-&-

On Petition for Writ of Mandamus from the Second Court of Appeals,

Tarrant County, Texas

-&-

In the Supreme Court of Texas,
Austin.

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NO. 322-744263-23

IN THE 322ND DISTRICT COURT OF TARRANT COUNTY, TEXAS

**IN THE MATTER
OF THE MARRIAGE OF
MORGAN MICHELLE MYERS
AND CHARLES DUSTIN MYERS**

**AND IN THE INTEREST OF MARA
MYERS AND CAROLINE MYERS,
CHILDREN**

MOTION FOR RECUSAL

TO THE HONORABLE DAVID EVANS

OF THE 8TH ADMINISTRATIVE JUDICIAL REGION OF TEXAS:

In February of 2018, response to a question posed by the *Republican Club Political Action Committee*, the now elected District Judge James Munford stated:

“I’m running for this office because I’ve worked many, many years in the family law field. I want to help and work with the citizens of Tarrant County and the families of Tarrant County to provide a good and accurate judiciary that follows the rules of law.”

However, in this case, Respondent, CHARLES DUSTIN MYERS, has encountered a series of judicial determinations that fundamentally contradict this objective. The assurance to uphold a judiciary that follows the rule of law has been replaced with decisions that have deprived the Respondent of due process, equitable hearings, and his fundamental paternal rights. Respondent respectfully moves to recuse District Judge James Munford and Associate Judge Jeffrey Kaitcer pursuant to TAC §155.152 & TEX. R. CIV. P § 18b(b)(1) and in support thereof , states the following un-opposed facts:

I. BASIS FOR RECUSAL

A. The impartiality of a judge may be challenged in the trial court by a motion to recuse. TEX. R. CIV. P. 18a, 18b. The Respondent respectfully moves to recuse Honorable Judge James Munford and Honorable Associate Judge Jeffrey Kaitcer from presiding over cause number 322-744263-23¹ for their collective inability to remain impartial in this matter by depriving the Respondent of a fair trial on four separate appearances. “Texas requires the recusal of a judge in any case where his or her impartiality might reasonably be questioned, regardless of any actual bias which may be held in a case.” *Aguilar v. Anderson.*, 855 S.W.2d 799, 815.

B. This motion has been filed at the earliest practicable opportunity, as the Respondent has exhausted all other available legal avenues without receiving any response, explanation, or opposition. Respondent has given the trial court every opportunity to correct the errors made in this case and has recently discovered pertinent information related to the initial proceeding that took place on January 16th, 2024, as outlined below. There are no current settings or upcoming hearings, and the case has not yet been scheduled for a final trial. The Respondent’s motion is verified and asserts grounds for recusal pursuant to TEX. CIV. R. P. 18(b)b1. These grounds are not predicated solely on the judges’ prior rulings. Instead, this motion presents detailed, particularized facts based on the Respondent’s direct knowledge that are admissible as evidence and are self-authenticating

¹ This case was consolidated on January 16th, 2024, by District Judge James Munford with cause number 322-744538-23, a protective order suit initiated by the Petitioner, Morgan Michelle Myers.

under Rule 902(4) of the Texas Rules of Evidence and are sufficient to warrant recusal. Moreover, where facts are presented based on information and belief, the foundation for such beliefs is explicitly stated. See TEX. R. CIV. P. 18a(a)(1)-(4); 18a(b)(1)

II. QUESTIONING THE IMPARTIALITY OF JAMES MUNFORD

A. On September 29th, 2024, the Respondent discovered a Facebook post made by the Tarrant County District Courts which stated the following:

“The following Tarrant County District Courts will be closed tomorrow, Tuesday, January 16, 2024.

This list is evolving as individual Judges are making informed decisions based on their dockets, inclement weather, and the safety and welfare of litigants, Court staff, counsel, and the general public.” – [Tarrant County District Courts on January 15, 2024.](#)

The Fort Worth Independent School District also announced that they would remain closed due to inclement weather in the area. <https://www.fox4news.com/news/dallas-fort-worth-school-closings-jan-16>. On December 14th, 2024, the petitioner requested a protective order from James Munford, which was denied. *Exhibit A*. However, one month and two days later, Judge James Munford made an initial decision that has been unexplained for the last ten months.

B. The initial decision at issue arose during a show cause hearing concerning an order of protection initiated by the petitioner, Morgan Michelle Myers, on December 22, 2023. This hearing was originally scheduled to be presided over by Associate Judge Jeffrey Kaitcer in the 322nd District Court of Tarrant County at 9:00 A.M. on January 16th, 2024. However, due to delays caused by inclement weather as mentioned above, the

proceedings were instead conducted by District Judge James Munford, as Associate Judge Jeffrey Kaitcer arrived late.

C. Both parties were present and appeared without legal representation. During the proceedings, Judge Munford presented the parties with an agreed continuance, which both parties accepted, and which was subsequently granted by Judge Munford as reflected in his order. However, despite granting the continuance, Judge Munford went further, issuing a series of rulings where he *sua sponte* consolidated the protective order case with the divorce case previously filed by the petitioner on December 18, 2023.

Exhibit B. He ordered the Respondent to vacate the residency that same day by 2:00 p.m., divested him of the custody of his children, and the hearing was then rescheduled for January 22, 2024, to be presided over by Associate Judge Jeffrey Kaitcer. *Exhibit C.*

D. This decision by Judge Munford undeniably raises serious questions regarding his impartiality in this matter. Due process of law requires that an individual receive notice and hearing before being deprived of a property right. *In re the Guardianship of Bays*, 355 S.W.3d 715, 720 (Tex. App. 2011); See *Grannis v. Ordean*, 234 U.S. 385, 394, 34 S. Ct. 779, 783, 58 L. Ed. 1363 (1914) ("a fundamental requisite of due process of law is the opportunity to be heard"). Furthermore, the Texas Family Code prohibits such an order before notice and hearing. TEX. FAM. CODE 105.001 ("...an order may not be rendered under Subsection (a)(1)... except after notice and a hearing...") (referencing child custody).

E. Moreover, 6.405(b) of the Texas Family Code was not satisfied, which is a mandatory requirement before any hearing can take place given the original petition for divorce claimed an active order of protection was currently in effect against the Respondent. *Exhibit B, p. 7.* (“The petitioner shall attach to the petition a copy of each order described by Subsection (a)(1) in which a party to the suit or the child of a party to the suit was the applicant or victim of the conduct alleged in the application... if a copy of the order is not available at the time of filing, the petition must state that a copy of the order will be filed with the court before any hearing.) All of the procedural safeguards above were disregarded by James Munford.

F. The purpose of temporary orders with injunctive relief is not to destroy the status quo, but rather to preserve it. See *Iranian Muslim Organization v. City of San Antonio*, 615 S.W.2d 202, 208 (Tex. 1981); *Davis v. Huey*, 571 S.W.2d 859, 862 (Tex. 1978); *Citizens of Texas Sav. v. Fox Jacobs*, 718 S.W.2d 2, 3 (Tex. App. 1985). Similarly to how the temporary injunction in *Coyote Lake Ranch, LLC v. City of Lubbock*, 498 S.W.3d 53 (Tex. 2016) improperly denied the City its undisputed right to access groundwater—an essential resource—Judge Munford's rulings have deprived the Respondent of his residency, which has served not only as the family home since 2015 but also as the headquarters for his business which provided for the children – an essential resource to their wellbeing. Furthermore, the Respondent was divested of custodial rights to his children without justification. Like the injunction in *Coyote*, rather than preserving the status quo, these initial rulings have done the opposite by depriving

the Respondent of his constitutional rights to property prior to due process of law. US CONST. AMEND XIV, § 1; TEX CONST. ART. I, § 19. Furthermore, James Munford prejudged critical matters that require full evidentiary hearings. TEX. FAM. CODE 105.001(b) (...an order may not be rendered under Subsection (a)(1), (2), or (5) except after notice and a hearing.) (in regard to the temporary conservatorship for a child, for the temporary support of the child, or for payment of attorney's fees.)

G. The Respondent's burden of showing of bias or impartiality to such an extent that the movant was deprived of a fair trial is satisfied from Judge Munford's initial ruling. See *Rodriguez v. JPMorgan Chase Bank, N.A.*, No. 04-14-00342-CV, 22 (Tex. App. Jun. 17, 2015).

H. The threshold for recusal is "whether a reasonable member of the public at large, knowing all the facts in the public domain concerning the judge's conduct, would have a reasonable doubt that the judge is actually impartial." *Hansen v. JPMorgan Chase Bank, N.A.*, 346 S.W.3d 769, 776 (Tex. App.—Dallas 2011, no pet.); *Rodriguez v. JPMorgan Chase Bank, N.A.*, No. 04-14-00342-CV, 22 (Tex. App. Jun. 17, 2015). The Respondent asserts that a reasonable member of the public would indeed reasonably doubt James Munford was actually impartial given that he deprived the Respondent of a fair trial. Thus, the Respondent's burden and threshold for recusal has been met, and Judge James Munford should be recused from this matter.

I. The only reasoning provided was an oral statement regarding his personal opinion regarding the Respondent living next door to his ex-partner's grandparents,

which is extrajudicial and comes from a biased perspective which discounted the facts of the case relevant to the children's well-being. In the context of this case, recusal is warranted if the trial judge's impartiality might reasonably be questioned, or he has a personal bias. TEX. R. CIV. P. 18b(2). This opinion or bias was irrelevant to the well-being of the children, as the grandmother, much like the children, relied on the Respondent's income in order to provide financial stability, and further justifies his recusal.

III. QUESTIONING THE IMPARTIALITY OF JEFFREY KAITCER

A. The initial ruling reset the case to January 22nd, 2024. The Respondent retained the services of Dan Bacalis, while the Petitioner arrived without any legal representation and retained the services of Cooper Carter in the lobby of the courtroom. Much like the first setting, Associate Judge Jeffrey Kaitcer granted a continuance which only benefitted the petitioner by allowing her legal representation more time to become familiar with the case while simultaneously extending the initial orders of Judge James Munford to February 1st, 2024, which significantly impacted the Respondent and his children. *Exhibit D*. Neither party appeared before the Jeffrey Kaitcer, and this decision was made without any input from the Respondent and without any opportunity to contest it.

B. At the third trial setting on February 1, 2024, the parties arrived only to be presented with a settlement agreement from the Respondent's own counsel. Given that the case had been delayed twice already and the ongoing damage from being unable to work at full capacity was compounding by the day, the Respondent contested this

strategy. He was informed by his attorney that the orders could be modified later and was urged to sign it. Left with no better alternative, the Respondent signed the agreement under duress after already being deprived of his residency, children, and business since January 16th, 2024. *Exhibit E*

C. The agreement removed the children from their own home that they had resided in their entire life and allowed the Respondent back into the home until March 1, 2024. It also established child support, and allocated financial responsibilities to the parties, to where the Respondent was left with both car payments, an unreasonable amount of time to transition from the home and with the addition of child support obligations. *Exhibit E*

D. Due to the Respondent's counsel drafting a settlement agreement rather than representing the interests of his client, he was terminated shortly after the third setting on February 5, 2024, where the Respondent began to represent himself *pro se*. *Exhibit F*. He filed a motion to reconsider the associate judge's report for temporary orders on February 9, 2024, which wasn't set for hearing until March 14 due to unnecessary delay by the opposing counsel, Cooper Carter, who has not filed any pleadings in this case on behalf of the petitioner. *Exhibit G*

E. Given that Dan Bacalis had been terminated, and that the associate judge's report signed on February 1, 2024, had clear stipulations regarding its' reduction to writing *Exhibit G, p.5*, the Respondent filed notice with the court on March 4th, 2024, stating that he would not be leaving the marital residence as it was not in the best interests of his children. *Exhibit H*

F. This decision prompted the petitioner to run inside the family residence on March 6th, 2024, while the Respondent was walking his daughters to school on her visitation time and lock the petitioner out of the home. Since this day, the Respondent has pursued relief to no avail, without argument, and without any response or findings of facts from either judge or Cooper Carter, petitioner's counsel.

G. On March 14, 2024, the parties appeared before Associate Judge Jeffrey Kaitcer to address the Respondent's motion to reconsider. Just minutes prior to the hearing, the Respondent was served formally reduced temporary orders by Cooper L. Carter, which contained significant clerical discrepancies and deviated from the original orders signed on February 1, 2024. These orders are currently in effect today as 'agreed orders'. *Exhibit I.* The orders also reference a hearing that was never conducted in this case.

H. During the hearing, the Respondent was precluded from addressing the events leading up to February 1, 2024, due to sustained objections based on relevance. Despite signing off on the Associate Judge's Report which non-suited the protective order, the opposing counsel was nonetheless permitted to elicit testimony from their client regarding her purported fear for safety should Respondent be allowed near the residency, which has not been supported by any evidence to date.

I. Judge Kaitcer refused to admit the Respondent's exhibits, which included affidavits from business clients prepared to attest to his need for residency and his close relationship with his daughters. *Exhibit J.* Judge Kaitcer further stated in open court, while drafting his ruling on the Respondent's motion, "You don't care about your kids.

You just care about your business." This remark, devoid of any evidentiary basis, exposed a deep-seated bias that rendered impartial adjudication impossible. A neutral and impartial evaluator would have acknowledged the interconnected nature of the Respondent's business, residency, and familial relationships as well as the impact of the initial proceedings leading up to that point. Further, an impartial judge would have realized that there is no logical explanation to remove a parent who relies on the residency to provide for the children while simultaneously denying the evidence that would have corroborated this need.

J. The Respondent's motion for reconsideration concluded with an illegible order, requiring him to sign the temporary orders served just moments earlier by 1:30 p.m. that same day. *Exhibit K*. Again, the order was designated as "agreed" despite lacking the Respondent's signature, was reduced outside of its' own procedural requirements ordered by the same judge, was reduced without any underlying motion for temporary orders ever served to the Respondent and differed from the associate judge's report signed on February 1, 2024. Rather than holding the opposing counsel and the petitioner in contempt for violating Rule 13 of the Texas Rules of Civil Procedure for signing a fictitious pleading which contained false statements, Jeffrey Kaitcer deprived the Respondent of a fair trial, thus warranting his recusal from this matter.

K. It is evident, based on common sense and objective evaluation of the public facts regarding Jeffrey Kaitcer's conduct that no reasonable person would believe that he was actually impartial knowing all of the facts of the case. After eight months of seeking

relief throughout the Texas judiciary, the collective actions of Judge James Munford and Associate Judge Jeffrey Kaitcer remain unexplained, and the damage is ongoing. Their joint recusal is necessary to ensure a fair resolution of this matter and to ensure the persistent favoritism directed towards the petitioner is abolished.

IV. THE AFTERMATH

A. Since the March 14th hearing, the case has stalled. There has been no participation from the opposing party, and all attempted communications have failed. There hasn't been any explanation for the denials in the Second Court of Appeals, leaving the Respondent to continue seeking every remedy available to him to correct the decisions presented above or receive a valid legal basis that justifies them.

B. The joint managing conservatorship that the current orders outline has put the Respondent in massive amounts of debt. He had to stay in hotels on Thursday nights in order to take his Children to school on Friday mornings for his visitation period, and for the extended summer visitation, rented an AIR BNB in order to provide the Children with a stable living space. The Respondent was able to have the owner of the AIRBNB located at 6608 Dewsbury St. that was only 1.3 miles from the Respondent's home allow him to port forward the router, allowing him to work to some degree, where he stayed until September 14th, 2024. Given the requirements to operate his business, an alternative residency would take a fair amount of time to transition to, and likewise the petitioner would need equal amount of time to obtain full employment in order to maintain the

current household. All of this was explained in the Respondent's pleadings that were before the court on January 16th, 2024, but were not considered. *Exhibit L, Exhibit M*

C. Since the March 14th hearing, the petitioner has moved additional family members into the home, has not paid rent, and has reduced her employment while significantly reducing the Respondents. On top of both James Munford and Jeffrey Kaitcer's disregard for the law and the best interests of the children, the inadvertent favoritism towards the petitioner has allowed her to further her own interests at the expense of the status quo of the children. An impartial judge is required in this matter to ensure that this one-sided favoritism does not continue at the expense of the children.

D. On June 2 of 2024, the petitioner's grandmother contacted the Respondent reiterating the above. She stated that the children were not being taken care of, that the petitioner was not acting like herself, and that she was not paying rent. This information was relayed to the Supreme Court of Texas, where the Respondent's motion for rehearing on petition for writ of mandamus is still pending before the court, asking them to compel James Munford to vacate the current orders which were entered by Associate Judge Jeffrey Kaitcer as agreed without consent and referenced a hearing that has never taken place.

V. QUESTIONS THAT REMAIN UNANSWERED

Throughout this case, several concerning questions have arisen regarding the conduct of both judges:

1. What dire circumstance compelled Judge James Munford to take up a case on short notice and grant injunctions and make child custody decisions without knowing the facts or considering the pleadings, particularly on a day the court was closed due to inclement weather when he had denied a similar request a month earlier?
2. Why did Judge Munford grant an agreed continuance at a protective order hearing and simultaneously rule against one of the parties on divorce issues without taking into consideration the preponderance of the evidence before him?
3. What factual basis on the record compelled Jeffrey Kaitcer to openly make negative statements about the Respondent regarding his children?
4. Why has Cooper Carter failed to respond to any of the Respondent's pleadings and neglected to file any documents on behalf of her client?
5. What factual basis exists on the record to supports the petitioner being granted full custody of the children and sole use of the residence?
6. How can an order be issued as an "agreed order" after consent was explicitly withdrawn, referencing a hearing that never occurred, and served to the Respondent before a scheduled hearing meant to challenge the very order?

VI. CONCLUSION

This case, as detailed in the pending motion for rehearing before the Supreme Court of Texas, revolves around the core issue of accountability. What began with Morgan Michelle Myers attempting to avoid responsibility has now evolved into a troubling scenario where both judges have repeatedly failed to recognize and correct their serious missteps. Attorney Cooper Carter's authority to represent the petitioner, currently being challenged through a Rule 12 motion, further deepens concerns about the integrity and fairness of these proceedings.

Recusing both judges is not just a procedural necessity, but a crucial step toward ensuring that this case is reviewed impartially and that the facts are properly considered. This will allow the court to focus on the petitioner's pattern of deception and, more importantly, what truly serves the best interests of the children. The petitioner's actions have caused unnecessary delays, destabilized her family, and inflicted significant emotional and financial harm on all involved. The ongoing litigation, exacerbated by a lack of judicial transparency and accountability, has only added to the hardship.

Despite these issues, the Respondent holds no ill will toward any party involved. His primary concern has always been, and continues to be, doing what is right for his children. The Respondent believes that with impartial judges and a renewed focus on fairness, this case can still be resolved justly, allowing all parties to move forward with dignity and integrity. The Respondent remains diligent in his commitment to securing a fair outcome that reflects the best interests of his children as the Family Code mandates.

VII. PRAYER FOR RELIEF

The Respondent respectfully requests the following relief:

1. That the clerk of the court deliver a copy of the motion for recusal to both the respondent judges and the regional presiding judge, and deliver any signed orders of recusal or referral to the regional presiding judge immediately upon filing.
2. That the respondent judges either recuse themselves or refer the motion to the regional presiding judge within three business days after the motion is filed, and refrain from taking any further action in the case until the motion is decided, unless good cause is shown in writing or on the record.
3. That the regional presiding judge issue interim orders to reset the status quo by allowing the Respondent's immediate return to his home and business, thereby initiating a peaceful transitional period for the family's well-being and stability.
4. That the motion for recusal be conducted by telephone, as permitted by **Rule 18(g)(6)(C)**, to expedite the process and ensure all documents submitted by facsimile or email, if otherwise admissible under the rules of evidence, are considered.
5. That, if the motion is granted, the regional presiding judge reassign the case to another court or assign another judge to ensure fairness and impartiality moving forward.

The Respondent seeks this relief to ensure that the case proceeds in a just manner, restoring stability and allowing a fair resolution to the matter at hand during the pendency of the case.

Respectfully submitted,

/s/ Charles Dustin Myers
CHARLES DUSTIN MYERS
6641 Anne Court
Watauga, TX 76148
Chuckdustin12@gmail.com
817-507-6562
Pro-se

VIII. CERTIFICATE OF SERVICE

Respondent certifies that a true copy of this Joint Motion for Recusal was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on **10/07/2024:**

Cooper L. Carter (Counsel for real party in interest)
by EMAIL/ESERVE at COOPERCARTER@MAJADMIN@COM

Morgan Michelle Myers (real party in interest)
by EMAIL/ESERVE at MORGANMW02@GMAIL.COM

HOLLY HAYES (OAG)
By EMAIL/ESERVE at CSD-Legal-914@oag.texas.gov

/s/ Charles Dustin Myers
CHARLES DUSTIN MYERS
6641 Anne Court
Watauga, TX 76148
Chuckdustin12@gmail.com
817-507-6562
Pro-se

IX. CERTIFICATE OF CONFERENCE

A conference was not held with Cooper Carter on the merits of this Motion because the Respondent failed to reach via her provided telephone number on the case docket after two attempts. Respondent has communicated the merits to the petitioner

/s/ Charles Dustin Myers
CHARLES DUSTIN MYERS
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X. AFFIDAVIT OF CHARLES MYERS

**STATE OF TEXAS
COUNTY OF TARRANT**

BEFORE ME, the undersigned authority, on this day personally appeared Charles Dustin Myers, who, being by me duly sworn, deposed as follows:

1. My name is Charles Dustin Myers, and I am over the age of 18, of sound mind, and competent to make this affidavit. I am the Respondent in the case styled Morgan Michelle Myers v. Charles Dustin Myers, Cause No. 322-744263-23, pending in the 322nd District Court of Tarrant County, Texas.
2. I have personal knowledge of the facts stated herein, and they are true and correct to the best of my knowledge and belief.
3. I am submitting this affidavit in support of my Joint Motion for Recusal of District Judge James Munford and Associate Judge Jeffrey Kaitcer in the above-referenced case due to their demonstrated inability to remain impartial and provide me a fair trial.
4. As outlined in the Joint Motion for Recusal, I have encountered judicial determinations in this case that have deprived me of due process, equitable hearings, and my fundamental parental rights. The decisions rendered by both Judge Munford and Judge Kaitcer have caused significant harm to my ability to maintain stability for my children and have compounded my financial hardship.

5. I have attempted to address these concerns through all available legal avenues, yet I have received no adequate response or resolution. The continued judicial favoritism towards the petitioner, Morgan Michelle Myers, has resulted in undue hardship on me and my children, destabilizing our lives both emotionally and financially.
6. I attest that all facts presented in the Joint Motion for Recusal are true and accurate based on my personal experience and knowledge. I have made every effort to act in the best interests of my children throughout these proceedings, and I believe that the recusal of both judges is necessary for an impartial review of this case.
7. I further attest that the petitioner, Morgan Michelle Myers, has knowingly made false statements and misrepresented facts in order to benefit herself in these proceedings, which has inadvertently caused harm to our children. These false statements have contributed to the current instability and emotional distress they are experiencing. I affirm that all statements made herein regarding the welfare of the children are true, accurate, and made under penalty of perjury.
8. I also affirm that my return to the family residence will be conducted with amicable honor and respect for all involved. I will take every step necessary to ensure a peaceful and respectful environment, with no conflict or disruptions. While residing in the home temporarily, I will pursue alternative living arrangements, allowing for a smooth transition, all while preserving the status quo for the sake of the children and their well-being.

Further, Affiant sayeth not.

Charles Dustin Myers

/s/ Charles Dustin Myers

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

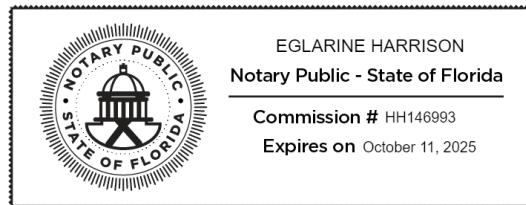
Pro-se
STATE OF FLORIDA, COUNTY OF PALM BEACH

SWORN TO AND SUBSCRIBED before me on this 7th day of October, 2024,
by Charles Dustin Myers, known to me or proven by identification to be the person
whose name is subscribed to this document.

He/She/They is/are Personally Known OR X Produced DRIVER'S LICENSE, as identification.

Eglarine Harrison

Eglarine Harrison



Notarized remotely online using communication technology via Proof.

EXHIBIT A

DENIED EX-PARTE ORDER 12/14/23

Cause No.: 322 744538 23

322-744538-23

Applicant: MORGAN MICHELLE MYERS § In the DISTRICT Court

v.

§
§
§
§
§FILED
TARRANT COUNTY
12/27/2023 9:04 AM
THOMAS A. WILDER
DISTRICT CLERKRespondent: CHARLES DUSTIN MYERS § TARRANT County, Texas~~Order setting day for
Temporary Ex Parte Protective Order~~Go to the court hearing on: Date: Open 15, 2024 Time: 9:00 a.m. p.m.Court Address: 4th Floor, 322nd Assoc. Ct., 200 E Weatherford Street Fort Worth TX

Findings: The Court finds from the sworn Affidavit or Declaration attached to the Application for Protective Order filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children, and/or Other Adults named below immediate and irreparable injury, loss, and damage, for which there is no adequate remedy at law. The Court, therefore, enters this *Temporary Ex Parte Protective Order* without further notice to the Respondent or hearing. No bond is required.

- 1 **Respondent:** The person named below is ordered to follow all Orders marked with a check.

Name: CHARLES DUSTIN MYERS County of Residence: TARRANT

- 2 **Protected People:** The following people are protected by the terms of this PROTECTIVE ORDER:

Name: _____ County of Residence: _____

Applicant: MORGAN MICHELLE MYERS

TARRANT

Children: MARA EVONNE MYERS

TARRANT

CAROLINE ROSE MYERS

TARRANT

Other _____

Adults: _____

- 3 **Temporary Orders** — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check. ✓

The Respondent (person named in 1) must:

- a. Not commit an act against any person named in 2 above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b. Not communicate in a threatening or harassing manner with any person named in 2 above.
- c. Not communicate a threat through any person to any person named in 2 above.



- d. Not communicate or attempt to communicate in any manner with: (Check all that apply)
 Applicant Children Other Adults named in 2 above. The Respondent may communicate through:
_____ or other person the Court appoints.
- Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the (Check all that apply):
 Applicant Children Other Adults named in 2 above. (except to go to court hearings)
- f. Not go within 200 yards of the Residence, workplace, or school of the: (Check all that apply)
 Applicant Other Adults named in 2 above.
- The addresses of the prohibited locations are: (Check all that apply)
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
- Disclosed as follows:
Applicant's Residence: _____
Applicant's Workplace/School: _____
Other: _____
- g. Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h. Not go within 200 yards of the Children's Residence, child-care facility, or school.
The addresses of the prohibited locations are: (Check all that apply)
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
- Disclosed as follows:
Children's Residence: _____
Children's Child-care/School: _____
Other: _____
- i. Not stalk, follow, or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in 2 above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them, including tracking or monitoring a car or other property.
- j. Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k. Not remove the Children from the jurisdiction of the Court.
- l. Not take, harm, or interfere with the care, custody, or control of the following pet, companion animal, or assistance animal: _____ (describe the animal).
- m. Not interfere with the Applicant's use of the Residence located at: 1641 ANNE CT
WATAUGA, TX 76148, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- n. Not interfere with the Applicant's use and possession of the following property:
2023 MAZDA CX-5 PLATE # SLV5281
- o. Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).



4 Order: Vacate Residence Immediately

The Court finds that the Residence located at: 16041 ANNE CT WATAUGA, TX 76148 (Check one):

- is jointly owned or leased by the Applicant and Respondent;
- is solely owned or leased by the Applicant; or
- is solely owned by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before: _____ a.m. p.m. on: _____ (date) and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

B/ IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant's necessary personal property.

5 Confidentiality of Information

The Court Clerk is ordered to strike contact information for Protected People, including: addresses, mailing addresses, county of residence, telephone numbers, places of employment, businesses, child-care facilities, and schools from the public records of the Court, and maintain a confidential record of this information. The Clerk of the Court is prohibited from releasing contact information of Protected People except to the Court or to law enforcement for the purpose of entering the information into the Department of Public Safety law enforcement information system. **It is ordered that all contact information for the Protected People is confidential.**

It is ordered that the following person is designated as a person to receive any notice or documents filed with the Court related to the application on behalf of the Applicant:

Name: MARGIE WILSON

Address: 16040 ANN CT WATAUGA, TX 76148

It is ordered that the following person is designated as a person to receive any notice or documents filed with the Court.

6 Go to the Court Hearing

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

7 Duration of Order: This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.



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

- 8 **Warning:** A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

If a person subject to a protective order is released from confinement or imprisonment following the date the order would have expired, or if the order would have expired not later than the first anniversary of the date the person is released from confinement or imprisonment, the order is automatically extended to expire on: (1) the first anniversary of the date the person is released, if the person was sentenced to confinement or imprisonment for a term of more than five years; or (2) the second anniversary of the date the person is released if the person was sentenced to confinement or imprisonment for a term of five years or less.

A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.

This Ex Parte Order signed on (date): 02/22/2023 Time: 3:22 pm
2:40 a.m. p.m.
 Judge Presiding: Judge Saenz

This is a Court Order. No one – except the Court – can change this Order.



EXHIBIT B
ORIGINAL PETITION
FOR DIVORCE 12/18/23

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Cause Number:

322 744263 23

In the Matter of the Marriage of

Petitioner: Morgan Michelle Myers

Print first, middle and last name of the spouse who filed for divorce.

And

In the _____
(Court Number)

District Court
 County Court at Law

Respondent: Charles Dustin Myers

Tarrant County, Texas

Print first, middle and last name of other spouse.

And in the Interest of:

(Print the initials of each child you and your spouse have together who is under 18 or still in high school.)

1. Mara Evonne Myers 2. Caroline Rose Myers 3. _____
4. _____ 5. _____ 6. _____

Original Petition for Divorce

Print your answers.

My name is: Morgan Michelle Myers

First

Middle

Last

I am the **Petitioner**, the person asking for a divorce.

The last three numbers of my driver's license number are 579. My driver's license was issued in (State): Texas.

or I do not have a driver's license number.

The last three numbers of my social security number are: 893.

or I do not have a social security number.

My spouse's name is: Charles Dustin Myers

First

Middle

Last

My spouse is the **Respondent**.

1. Discovery Level

The discovery level in this case, if needed, is Level 2.

2. Legal Notice (Check one box.)

- I think my spouse will sign a Waiver of Service (or Answer). Do not send a sheriff, constable, or process server to serve my spouse with a copy of this Petition for Divorce at this time.
- I will have a sheriff, constable, process server or clerk serve my spouse with this Petition for Divorce here:
6641 Anne Court, Watauga, Texas 76148

Street Address

City

State

Zip

If this is a work address, name of business: _____

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to my spouse by "Official Service of Process"). I understand that I will need to pay the fee (or file a Statement of Inability to Afford Payment of Court Costs if I am unable to pay the fee) and arrange for service.

- I cannot find my spouse. I ask that my spouse be served by publication. I understand I must file an Affidavit for Citation by Publication and hire a lawyer to serve as attorney ad litem for me.



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

AFFIDAVIT OF INABILITY

FILED
COUNTY
TARRANT
2023 DEC 18 AM 10:43
THOMAS A. WILDER
DISTRICT CLERK

3. Jurisdiction

3A. County Residence Requirement

(Check all boxes that apply.)

- I have lived in this county for the last 90 days.
- My spouse has lived in this county for the last 90 days.
- I am serving in the armed forces or other government service outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- I have accompanied my spouse who is serving in the armed forces or other government service outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.

3B. Texas Residence Requirement

(Check all boxes that apply.)

- I have lived in Texas for the last six months.
- My spouse has lived in Texas for the last six months.
- I am serving in the armed forces or another government service outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.
- I have accompanied my spouse who is serving in the armed forces or another government service outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.

3C. Personal Jurisdiction over Spouse

(Check one box.)

- My spouse lives in Texas.
- My spouse does not live in Texas. (Check any boxes that apply below.)
 - My spouse agrees that a Texas court can make orders in this divorce, including orders regarding conservatorship (custody), visitation, and financial support of our children and orders regarding our property and debts. My spouse will file a Waiver of Service (or Answer).
 - Texas is the last state where we lived together as a married couple. This Petition for Divorce is filed less than two years after we separated.
 - The children live in Texas because of my spouse's actions.
 - My spouse has lived in Texas with the children.
 - My spouse has lived in Texas and provided prenatal expenses or support for the children.
 - My spouse had sexual intercourse in Texas, and the children may have been conceived by that act of intercourse.
 - Our child was born in Texas and my spouse registered with the paternity registry maintained by the bureau of vital statistics or signed an acknowledgment of paternity.
 - My spouse will be personally served with citation (official service of process) in Texas.



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

4. Dates of Marriage and Separation

My spouse and I got married on or about: July 20th, 2015
Month _____ Day _____ Year _____

We stopped living together as spouses on or about: December 1st, 2023
Month _____ Day _____ Year _____

5. Grounds for Divorce

I ask the Court to grant me a divorce. The marriage has become insupportable due to discord or conflict of personalities that destroys the legitimate ends of the marital relationship and prevents any reasonable expectation of reconciliation.

6. Children

6A. Children Husband and Wife Have Together

My spouse and I are the parents of the following children who are under 18 years old or over 18 years old and still in high school.

(You MUST list all children you and your spouse have together (adopted or biological) who are under 18 or over 18 and still in high school.)

Child's name	Date of Birth	Place of Birth	State where child lives now
1. <u>Mara Myers</u>	<u>6/20/16</u>	<u>Ft. Worth</u>	<u>Texas</u>
2. <u>Caroline Myers</u>	<u>4/12/18</u>	<u>Ft. Worth</u>	<u>Texas</u>
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

6B. Jurisdiction over Children

(Check one box.)

- The children live in Texas now and have lived in Texas for at least the past 6 months or since birth.
 The children do not live in Texas now, but they have been gone from Texas for less than 6 months. The children lived in Texas the 6 months before they moved. A parent or person acting as a parent continues to live in Texas.
 None of the above apply.

(Check box below only if true.)

- There are **no court orders** about any of the children listed above. No other court has continuing jurisdiction over this case or the children.



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

6C. Children's Property

(Check one box.)

- The children do not own any property of significant value in their own name.
 The children own the following property of significant value in their own name:
-

6D. Conservatorship (Custody) of the Child(ren)

I ask the court to make conservatorship (custody) orders as follows: (Check a, b, or c.)

- a. Mother and Father should be **Joint Managing Conservators** of the child(ren) and:

(If you checked a, check a-1, a-2, or a-3.)

- a-1. Father should have the exclusive right to designate the primary residence of the child(ren) within the following geographic area: (Check one box below.)

anywhere. this county. this county or county adjacent to this county.
 Texas. other: _____

- a-2. Mother should have the exclusive right to designate the primary residence of the child(ren) within the following geographic area: (Check one box below.)

anywhere. this county. this county or county adjacent to this county.
 Texas. other: _____

- a-3. Neither parent should have the exclusive right to designate the primary residence of the child(ren) but both parents should be ordered not to move the child(ren) out of the following geographic area: (Check one box below.)

this school district: _____ this county.
 this county or county adjacent to this county. other: _____

- b. Mother should be the **Sole Managing Conservator** of the child(ren) with the exclusive rights listed in Texas Family Code 153.132 including the exclusive right to designate the primary residence of the child(ren) anywhere.

- c. Father should be the **Sole Managing Conservator** of the child(ren) with the exclusive rights listed in Texas Family Code 153.132 including the exclusive right to designate the primary residence of the child(ren) anywhere.

6E. Child(ren)'s Passports (Check only if applicable.)

- I ask the Court to order that I have the exclusive right to apply for and renew passports for the child(ren).



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

6F. Possession of and Access to the Child(ren) (Visitation)

I ask the court to make possession and access (visitation) orders as follows: (Check a, b, c, or d.)

- a. Father should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)
- b. Mother should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)
- c. "Standard visitation" would be unworkable or inappropriate. Possession and access to the child(ren) should be as follows:

- d. I am concerned about the safety of the children with the other parent: I ask that:
(If you checked d, check all that apply below.)
 - d-1. exchanges of the child(ren) be supervised, or in the alternative, be in a public place.
 - d-2. the other parent's possession of the child(ren) be limited to day visits.
 - d-3. the other parent's possession of the child(ren) be supervised.
 - d-4. the other parent have no right to possession or access to the child(ren).
 - d-5. the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the child(ren).
 - d-6. the other parent's possession and access to the children be restricted as follows:

(Check only if you are asking that a different possession order be in place while a child is under 3 years old.)

- One or more of the children is under 3. Until the child turns 3, possession should be as follows:

After the child turns 3, possession should be as checked above.

(Check only if applicable.)

- I am concerned that the other parent may take the child(ren) to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child(ren).

6G. Child Support, Medical Support, and Dental Support for the Child(ren)

I ask the court to make appropriate orders for the financial support of the child(ren), including regular child support, medical support, dental support and, if supported by the evidence, retroactive child support.



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

7. Is the wife pregnant?

(Check one box.)

The wife in this marriage **is not** pregnant.

The wife in this marriage **is** pregnant. I understand that I cannot finish the divorce until after the child is born.

(If the wife is pregnant, also check one box below.)

The husband **is** the father of this child. I ask the court to include orders for custody, visitation, child support, and medical and dental support for the child in the Final Decree of Divorce.

The husband **is not** the father of this child. I understand that paternity of the child must be established before I can finish the divorce.

8. Did the wife have a child with another man while married to the husband?

(Check one box. Fill in the requested information, if applicable.)

The wife **did not** have a child with another man while married to the husband.

The wife **did** have a child with another man while married to the husband. All of the children born during the marriage that are not the Husband's adopted or biological children are named below:

Child's name	Age	Date of Birth	Sex
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

(If the wife had a child or children with another man during the marriage, check one box below.)

Paternity of the child(ren) named above **has not** been established. I understand that paternity of the child(ren) must be established before I can finish my divorce.

Paternity of the child(ren) named above **has** been established:

(Check one box.)

A court order has established that another man is the biological father and/or the Husband is not the biological father of the child(ren) listed above. I understand I must attach a file-stamped copy of the court order to my Final Decree of Divorce.

An Acknowledgement of Paternity was signed by the biological father and a Denial of Paternity was signed by the Husband for the child(ren) listed above. I understand I must attach a copy of these documents to my Final Decree of Divorce.



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

9. Protective Order Statement (Check the appropriate boxes. Fill in the requested information.)

9A. No Protective Order

- I do not have a protective order against my spouse and I have not asked for one.
- My spouse does not have a protective order against me and has not asked for one.

9B. Pending Protective Order

- I have filed paperwork at the courthouse asking for a protective order against my spouse, but a judge has not decided if I should get it. I asked for a protective order on 12/14/2023 _____ Date Filed

In Tarrant County, Texas. The cause number is _____
County State Cause Number

If I get a protective order, I will file a copy of it before any hearings in this divorce.

- My spouse has filed paperwork asking for a protective order against me, but a judge has not decided if my spouse will get it. My spouse asked for a protective order on _____ Date Filed

in _____ County, _____. The cause number is _____
County State Cause Number

If my spouse gets a protective order, I will file a copy of it before any hearings in this divorce.

9C. Protective Order in Place

- I do have a protective order against my spouse. I got the protective order in _____ County, _____ on _____ Date Ordered

The cause number for the protective order is _____ Cause Number

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

- My spouse does have a protective order against me. The protective order was made in _____ County, _____ on _____ Date Ordered

The cause number for the protective order is _____ Cause Number

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

10. Waiver of Waiting Period Based on Family Violence (Check only if applicable.)

- I ask the Court to waive the 60-day waiting period for divorce because: (Check one box.)

- My spouse has been convicted of or received deferred adjudication for a crime involving family violence against me or a member of my household.

- I have an active protective order or an active magistrate's order for emergency protection against my spouse because of family violence during our marriage. The order includes a finding that my spouse committed family violence.



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

11. Property and Debt

11A. Community Property and Debt

If my spouse and I can agree about how to divide the property and debts we got during our marriage, I ask the Court to approve our agreement. If we cannot agree, I ask the Court to divide our community property and debts according to Texas law.

11B. Separate Property

I own the following separate property. I owned this property before I was married, or I received this property as a gift or inheritance during my marriage or I received this property as recovery for personal injuries that occurred during the marriage (not including any recovery for lost wages or medical expenses). I ask the Court to confirm this property as my separate property.

(Fill in all lines. If you have no property to list in a particular category, write "none.")

House located None

Street Address	City	State	Zip
----------------	------	-------	-----

Land located at: None

Street Address	City	State	Zip
----------------	------	-------	-----

Cars, trucks, motorcycles, or other vehicles

Year	Make	Model	Vehicle Identification No. [VIN]-
2023	Mazda	CX-5	JM3KFBCM1P0135569
2021	Mazda	CX-3	

Other money or personal property I owned before I was married, received as a gift or inheritance during my marriage or property I purchased during my marriage with separate property funds: None

Money I received as recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses: None



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

12. Name Change

(Check one box.)

- I am NOT asking the Court to change my name.
 I ask the Court to change my name back to a name I used before my marriage. I am not asking the court to change my name to avoid criminal prosecution or creditors. I ask that my name be changed to:

Morgan Michelle Wilson

First

Middle

Last

The children: (Check all that apply.)

- have private health insurance.

Name of insurance company: _____

Policy number: _____ Cost of premium: \$ _____

Name of person who pays for insurance: _____

The insurance policy is is not available through the parent's work.

- have health insurance through Medicaid.

have health insurance through C.H.I.P. Cost of premium (if any): \$ _____

- do not have health insurance.

If the children do not have private health insurance also complete the following:

Private dental insurance is is not available to Father at a reasonable cost.

Private dental insurance is is not available to Mother at a reasonable cost.

13. Dental Insurance Availability for Children

The child(ren): (Check all that apply.)

- have private dental insurance.

Name of insurance company: _____

Policy number: _____ Cost of premium: \$ _____

Name of person who pays for insurance: _____

The insurance policy is is not available through the parent's work.

- have dental insurance through Medicaid.

- do not have dental insurance.

Private dental insurance is is not available to Father at a reasonable cost. Private

dental insurance is is not available to Mother at a reasonable cost.



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

14. Public Benefits

(Check any boxes that apply.)

- The child(ren) have Medicaid now or had it in the past.
- The child(ren), or someone on behalf of the child(ren), get TANF (Temporary Assistance for Needy Families) now or got it in the past.

15. Family Information

(Check only if applicable.)

- I believe my children or I will be harassed, abused, seriously harmed or injured or otherwise subjected to family violence if I must give my spouse the information checked below for myself and the child(ren):
 - home address, mailing address, employer, work address,
 - home phone, work phone, social security no., driver's license #.

I ask the Court to Order that I not have to give this information or notice of changes in this information to my spouse. I also ask the Court to keep this information confidential.

16. Request for Judgment

I ask the Court to grant my divorce. I also ask the Court to make the other orders I have asked for in this Petition and any other orders to which I am entitled.

Respectfully,

→ 
Petitioner's Signature

12/18/2023
Date

MORGAN MICHELLE MYERS

Petitioner's Name (Print)

1641 ANNE CT

Mailing Address

Email Address: morwi131@gmail.com

Phone

WATAUGA

City

TX

State

76148

Zip

Fax (if available)

I understand that I must notify the Court and my spouse's attorney (or my spouse if my spouse does not have an attorney) in writing if my mailing address or email address changes during these divorce proceedings. If I don't, any notices about this case including the dates and times of hearings will be sent to me at the mailing address or email address above.

17. Certificate of Service to the Office of the Attorney General (OAG)

I certify that a true copy of this Petition was served on the Office of the Attorney General Child Support Division* in person, by certified and first-class mail, by commercial delivery service, by fax, by email, or through the electronic file manager on this date.



Petitioner's Signature

Date



A CERTIFIED COPY
ATTEST: 04/15/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz
11

EXHIBIT C

INITIAL RULING 01/16/2024

322ND FAMILY DISTRICT COURT

~~ASSOCIATE JUDGE'S REPORT~~CAUSE NUMBER: 322 - 744538-23

ITMOTMO/INRE

322 - 744263-23Morgan M. MyersvsCharles D. Myers§
§
§
§

IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

322ND JUDICIAL DISTRICT

RESET DATE AND TIME: January 22, 2024 at 9:00 am

1. Appearances:

 Petitioner/Movant appeared in person and by attorney Pro Se Respondent appeared in person and by attorney Pro Se2. Issue(s): Custody Visitation Child Support Health Insurance CPS (Property and Conservatorship)3. Order(s) or Agreement(s): The Wife will remain in the house temporarily. Case is set next Monday, January 22, 2024 at 9:00 am. The husband shall vacate the house by 2:00 pm January 16, 2024. Mother to have possession of the children until the time of the hearing. Cause # 322-744538-23 is consolidated into cause # 322-744263-23.
Continuance granted.

AGREED AS TO FORM AND SUBSTANCE:

Attorney for Petitioner_____
Attorney for Respondent_____
Petitioner_____
Respondent

SO ORDERED:

Jenni B. Mutual

322nd Associate Judge

1-16-2024

Date

Rendition
*[Signature]*FILED
TARRANT COUNTY
1/17/2024 2:28 PM
THOMAS A. WILDER
DISTRICT CLERK

A CERTIFIED COPY
 ATTEST: 04/13/2024
 THOMAS A. WILDER
 DISTRICT CLERK
 TARRANT COUNTY, TEXAS
 BY: /s/ Catherine Saenz

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: 83494135

Filing Code Description: No Fee Documents

Filing Description: Rendition

Status as of 1/17/2024 4:23 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	1/17/2024 2:28:44 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	1/17/2024 2:28:44 PM	SENT



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

EXHIBIT D
ASSOCIATE JUDGE'S REPORT
01/22/24

322ND FAMILY DISTRICT COURT

ASSOCIATE JUDGE'S REPORT

CAUSE NUMBER: 322 - 744538-23

FILED
 TARRANT COUNTY
 1/23/2024 8:14 AM
 THOMAS A. WILDER
 DISTRICT CLERK

ITMOTMO/INRE

322-744538-23

Morgan Myers
AND
Charles Myers

§
 §
 §
 §

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

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

1. Appearances:

- Petitioner/Movant appeared in person and by attorney Cooper Carter
 Respondent appeared in person and by attorney Dan Becker

2. Issue(s): Custody Visitation Child Support Health Insurance CPSDISPUTE TEMP. ORDERS & APP. FOR P.O.3. Order(s) or Agreement(s): Motion for Continuance requested
by Petitioner. The court grants continuance
and res-ssets all issues for 2/1/2024
at 9:00 A.M.

RESPONDENT, CHARLES MYERS TO HAVE POSSESSION
OF THE CHILDREN FROM FRIDAY, JAN 26, 2024, 6:00 PM - SUNDAY 1/28/24
RESPONDENT TO PICK UP AND DROP OFF CHILDREN AT
AT 6641 ANNE CT, WATAUGA, TX 6:00 PM

AGREED AS TO FORM AND SUBSTANCE:

Attorney for Petitioner

Petitioner

Attorney for Respondent

Respondent

SO ORDERED:

322nd Associate Judge

1/22/24

Date



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

Automated Certificate of eService

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Envelope ID: 83674346

Filing Code Description: No Fee Documents

Filing Description:

Status as of 1/24/2024 8:13 AM CST

Associated Case Party: MORGANMICHELLEMYERS

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

Associated Case Party: CHARLESDUSTINMYERS

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



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

EXHIBIT E
ASSOCIATE JUDGE'S REPORT
02/01/24

AGREED

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

DIVORCE WITH CHILDREN

CAUSE NUMBER: 322-744263-23

<u>Morgan Myers</u>	§	IN THE DISTRICT COURT
<u>AND</u>	§	TARRANT COUNTY, TEXAS
<u>Charles Myers</u>	§	322 ND JUDICIAL DISTRICT

RESET DATE: _____

1. Appearances:

Petitioner/Movant appeared in person and by attorney Cooper Carter
 Respondent appeared in person and by attorney Dan Bachis

2. Temporary Conservatorship:

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

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

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

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

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

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

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

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

The right to receive child support shall be by the Mother Father Other _____

B. Sole Managing Conservator: Mother Father Other: _____

Possessory Conservator: Mother Father Other: _____

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

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

Residency Restriction to Tarrant County Tarrant & contiguous counties.

3. **Temporary Possession Schedule:**

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

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

Other: _____

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

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

4. **Temporary Child Support:**

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



Medical Insurance on Child Provided by:

()Mother ()Father

Insurance Cost Paid by:

()Mother ()Father

Uncovered Medical, Dental & Vision Costs:

Equally ()

Mother to apply for
MEDICARE

5. Additional Orders: _____

App. for Protective ORDER is non-suited

6. Temporary Spousal Support: *N.A.*

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

7. Temporary Possession of Property:

Husband: *2021 MAZDA 3, his personal prop.
& clothing 2023 MAZDA CX-8 (LEASED)*

*REPOSSESS to wife home at 6641 Anne Court
WATAUGA by MARCH 1, 2024*

Wife: *2007 MAZDA, her personal property
& clothing, 6641 Anne Court, WATAUGA,*

8. Temporary Payment of Debts and Bills:

Husband: His living expenses: CAR PAYMENT, his auto ins
his telephone payment.

LEASE PAYMENT FOR HOMESTEAD FOR FEBRUARY
& MARCH 2024

Wife: Her living expenses: her auto INSURANCE, her
telephone payment. LEASE PAYMENT ON HOMESTEAD
AFTER March 30, 2024

9. Temporary Injunctions:

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

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

the parties to communicate through App (Phone)

10. MISCELLANEOUS:

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

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

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

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

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

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

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

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

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

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

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

AGREED AS TO FORM AND SUBSTANCE

Coyer

Attoey for Petitioner

Dan O Baez

Attorney for Respondent

Milay

Petitioner

Ch. Jr.

Respondent

SO, ORDERED:

J

322ND Associate Judge

Date: FEBRUARY 1, 2024



Automated Certificate of eService

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Envelope ID: 84305097

Filing Code Description: No Fee Documents

Filing Description: AGD AJ REP

Status as of 2/8/2024 3:12 PM CST

Associated Case Party: MORGANMICHELLEMYERS

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

Associated Case Party: CHARLESDUSTINMYERS

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



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

EXHIBIT F

NOTICE OF TERMINATION OF

LEGAL COUNSEL

02/05/2024

IN THE 322ND DISTRICT COURT OF TARRANT COUNTY

MORGAN MICHELLE MYERS,

Plaintiff,

v.

CHARLES DUSTIN MYERS,

Respondent.

Cause Number: 322-744538-23

NOTICE OF TERMINATION OF LEGAL COUNSEL

TO THE CLERK OF THE COURT AND ALL PARTIES OF INTEREST:

Please take notice that I, Charles Dustin Myers, the Respondent in the above-captioned matter, have terminated the legal services of Mr. Daniel R. Bacalis as my counsel of record, as communicated with Mr. Bacalis on 02/05/2024 at 3:09 P.M. CST via e-mail communications.

This notice is filed pursuant to the applicable rules and regulations governing legal representation and is intended to ensure no delay in the proceedings due to this change.

I will represent myself pro se until further notice. If I retain new legal counsel, a notice of appearance will be filed accordingly.

Kindly update the court records to reflect this change and direct all future correspondence related to this case to my attention via the contact method of preference listed below.

This notification is provided directly to the court due to the time-sensitive nature of the ongoing matters in this case.

I will ensure all future correspondence and legal documents are filed in accordance with local court rules and within the set deadlines.

Should there be any required actions or additional information needed from my end, please do not hesitate to contact me directly.

Respectfully submitted,

/s/ CHARLES DUSTIN MYERS

CHARLES DUSTIN MYERS

6641 Anne Court

Watauga, Tx 76148

817-507-6562

chuckdustin12@gmail.com



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

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Termination of Legal Counsel has been furnished to all counsel of record on this 5th day of February, 2024 via e-mail.

/s/ CHARLES DUSTIN MYERS

CHARLES DUSTIN MYERS
6641 Anne Court
Watauga, Tx 76148
817-507-6562
chuckdustin12@gmail.com



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

EXHIBIT G

**RESPONDENT'S EMERGENCY
MOTION TO VACATE 02/09/24**

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY******NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**FILED
TARRANT COUNTY
2/9/2024 3:17 PM
THOMAS A. WILDER
DISTRICT CLERKCause No. Cause No. 322-744263-23

<u>MORGAN MICHELLE MYERS</u>	§	In the (<i>check one</i>):
<u>V</u>	§	<input checked="" type="checkbox"/> <u>322nd</u> District Court
	§	<input type="checkbox"/> County Court at Law No. <u> </u>
<u>CHARLES DUSTIN MYERS</u>	§	<u>TARRANT</u> County, Texas

Motion for Reconsideration and to Vacate Temporary Orders*Print your answers*

My name is:

<u>CHARLES</u>	<u>DUSTIN</u>	<u>MYERS</u>
<i>First</i>	<i>Middle</i>	<i>Last</i>

I am the Petitioner Respondent in this case and request the Court grant this motion for Reconsideration and to Vacate Temporary Orders (title of motion). In support, the following is shown:

SEE ATTACHED MOTION



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

Respectfully submitted,

► /s/ Charles Dustin Myers
Your Signature

2024-02-09
Date

Charles Dustin Myers
Your Printed Name

817-507-6562
Phone

6641 ANNE COURT
Mailing Address

WATAUGA
City TX 76148
State Zip

CHUCKDUSTIN12@GMAIL.COM
Email Address

Fax # (if any)

Notice of Hearing

The above motion is set for hearing on _____ at _____.M. in

_____ *(designation and location of court).*

SIGNED on _____.

Judge or Clerk



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

Certificate of Service

I certify that I delivered a copy of this document to each party in this case, or if a party is represented by a lawyer to the party's lawyer, by: (Check one or more)

Hand delivery to the other party _____

Hand delivery to the other party's lawyer _____

Email to this email address COOPERCARTER@MAJADMIN.COM

Regular mail to this address: _____

Certified mail to this address: _____

Commercial delivery service (for example FedEx) to this address: _____

Fax to fax #: _____



/s/ Charles Dustin Myers

Signature

2024-02-09

Date



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

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

**NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**

Cause No. _____

- § In the (*check one*):

§ _____ District Court
§ County Court at Law No. _____
§ _____ County, Texas

Order on Motion for _____

On _____ the Court heard the Motion for
(date)

_____ of _____
(title of motion) (name of person who filed the motion)

IT IS ORDERED that the motion is GRANTED

SIGNED on _____.

JUDGE PRESIDING



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

IN THE 322nd DISTRICT COURT OF TARRANT COUNTY
STATE OF TEXAS

Morgan Michelle Myers,

Petitioner,

v.

Charles Dustin Myers,

Respondent

Cause No. 322-744263-23

**Emergency Motion to Reconsider
Evidence and to Vacate Temporary
Orders**

This motion urgently calls for the Court's intervention to address critical procedural missteps in the matter of cause# 322-744263-23, aiming to reinstate the safety and stability that our children rightfully deserve until due process and all facts of the case can be considered by the Court. I am seeking immediate court intervention to correct procedural errors and address the misuse of the legal system by the Petitioner. This motion highlights the significant impact of the Petitioner's actions on our children's welfare and my unjust removal from our home based on frivolous claims.

In pursuit of justice and the well-being of the children at heart, I respectfully request that the Court reconsider all details, weighing the comprehensive scenario presented herein along with the supporting evidence. I am committed to the highest interests of my children and family, striving to resolve these matters efficiently and avoid unnecessary judicial expenditure. This document seeks to unveil the Petitioner's deliberate misrepresentation and misuse of the legal system, which has gravely disrupted our children's stability and emotional well-being by weaponizing the court system.

¹ On December 1st, 2023, the Petitioner announced her desire for a divorce with no plan in place to preserve our familial stability, with no desire for counseling or communication, and with no consideration of the timing around the holiday season, nor any sign of marital discord warranting such a decision leading up to this announcement.

² Between December 14th, 2023, and December 22nd, 2023, the Petitioner filed for an Emergency Protective Order, a Divorce Petition, a Protective Order, and instigated an Eviction suit.



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

NATURE OF SUITS AND THIRD-PARTY INFLUENCE

1. **On December 1st, 2023**, Petitioner announced the divorce with no plan in place for the children, no sign of marital discord leading up to this point to warrant such a decision, and no desire for counseling, communication, and no consideration for the time of year.
2. **Between December 1st, 2023, and December 12th, 2023**, all efforts are exhausted in an attempt to communicate with the Petitioner which lead to the subsequent discovery of an alarming volume of text messages that were directed towards two individuals – Debbie Price and Damen Kazlauskas, showing a significant level of influence.³
3. **On December 12th, 2023**, After the discovery of the communications between these two individuals combined with the irrational behavior from the Petitioner during such a critical time of year, I reached out to the Petitioner's grandfather via text message.⁴
4. **On December 13th, 2023**, Petitioner states she will be going to talk to her Grandparents alone. This conversation lasts between 9:55 and 1:30 A.M.
5. **On December 14th, 2023**, Petitioner filed for an Emergency Protective Order. This order was denied by the court.
6. **On December 15th, 2023**, Petitioner involves her family into the situation. Particularly, Dan Branthoover became involved. He is the boyfriend of the Petitioner's Mother. Shortly thereafter, I received a notice from our joint bank account stating that \$1,576 had just been withdrawn. As our bank statement for December 2023 will demonstrate – the transaction record shows the funds being transferred directly to Mr. Branthoover's PayPal account.⁵

³ See attached EXHIBIT A.1 – A true and accurate copy of the AT&T text logs filtered by relevant parties. Parties include Meme, Papaw, Damen, Debbie, and Dan. Dates and times surrounding the case will corroborate with other evidence presented herein. See page 456 – 458.

⁴ See attached EXHIBIT A.2 – A true and accurate copy of the referenced text message in paragraph 3.

⁵ See attached EXHIBIT A.3 – The true and accurate bank statement reflecting the transaction referenced in paragraph 6.

7. **On December 16th, 2023**, Petitioner's transaction under the advice of Mr. Branthroover lead to our joint bank account becoming \$-800 overdrawn. I requested from Mr. Branthroover via text message that he needs to return the funds immediately, where he subsequently admits to this transaction having occurred.⁶
8. **On December 17th, 2023**, Petitioner's grandmother, Margie Wilson, initiates an Eviction Suit by serving me an eviction notice around 11:00 AM CST.
9. **On December 18th, 2023** – Petitioner writes “VOID” on the Eviction Notice, and physically tears it in half.⁷
10. **On December 19th, 2023**, Mr. Branthroover uses intimidation tactics by impersonating an attorney despite having no license to practice law in the State of Texas.⁸
11. **On December 27th, 2023**, I am served the Divorce Papers by the Constable.
12. **On December 28th, 2023**, I am served the Protective Order, followed by the Eviction shortly thereafter by the Constable.

The Protective Order (Show Cause) hearing was set for **January 16th, 2024**, and the Eviction hearing for **January 17th, 2024**.

The documented timeline of events, particularly during the holiday season, underscores a notable disregard for our children's welfare. This has enabled the Petitioner to inappropriately utilize the judicial system to disrupt the stable environment our children have known, influenced significantly by third-party actions as previously detailed. The forthcoming section of this motion will highlight the specific frivolous claims and false statements found within each filing initiated by the Petitioner.

⁶ See attached EXHIBIT A.4 – Overdrawn account notice from PNC bank on December 16th, 2023.

⁷ See attached EXHIBIT A.5 – The physically torn and voided Eviction notice served on December 17th, 2023.

⁸ See attached EXHIBIT A.6 – Mr. Branthroover refers to Petitioner as “his client” while having no license in law.



FRIVOLOUS CLAIMS AND FALSE STATEMENTS

A. EMERGENCY PROTECTIVE ORDER

1. As mentioned above, Petitioner filed for an Emergency Protective Order on December 14th, 2023. This protective order was denied by the courts.
2. Due to the fact this order was not granted by the court, one could conclude that there was not a clear and present danger of family violence.¹

B. THE DIVORCE PETITION

1. Petition was filed on 2024-12-18 under an Affidavit of Inability to pay.²
2. The Petitioner's action of filing for divorce under an Affidavit of Inability to pay three days after transferring \$1,576 to herself starkly contravenes the mandates set forth in *Chapter 10, Section 10.001 of the Civil Practice and Remedies Code*. This section asserts that each claim or legal contention must be warranted by existing law or a nonfrivolous argument for the modification of existing law or the establishment of new law, and that each factual contention has or is likely to have evidentiary support after further investigation or discovery³.
3. The Petitioner violated *Chapter 10, Section 10.001* a second time within the same document when she intentionally elected to waive the 60-day waiting period claiming to have an active protective order against me that found family violence had occurred during our marriage⁴ despite being denied such an order just five days prior on December 14th, 2023.
5. The final page of the Divorce Petition for service to the Office of the Attorney General was left unsigned by the Petitioner.

¹ TEXAS FAMILY CODE, TITLE 4, SUBTITLE B, CHAPTER 83, Sec. 83.001

² See attached EXHIBIT B.1 – A True and Accurate copy of the Divorce Petition for all references made in regard to this document.

³ CIVIL PRACTICE AND REMEDIES CODE, TITLE 2, SUBTITLE A, CHAPTER 10, Sec. 10.001.

⁴ TEXAS FAMILY CODE, Sec. 6.405 – The petitioner shall attach to the petition a copy of each order described by Subsection (a)(1). No such order, as required, was attached to the divorce petition, because no such order exists.

C. EVICTION SUIT

1. The suit was unlawful by nature⁵, as the grounds for eviction were based on family status, referencing the divorce as well as a protective order that had been denied on December 14th, 2023. The suit was dismissed for lack of jurisdiction on January 17th, 2024.⁶

D. PROTECTIVE ORDER

1. This suit was the second attempt by the Petitioner to have me removed from the home, which ultimately succeeded.

2. The claims within this suit mentioned sexually aggressive comments and threatening behavior. These allegations are materially false, as the Petitioner possesses no evidence, and has presented no evidence in relation to these claims since the initiation of the suit. Despite this, as video and image evidence will show once a fair trial date is set, the Petitioner and I continued to maintain stability at our family home and preserved the sense of normalcy that our daughters have been accustomed to their entire lives up until January 16th, 2024.

The Court's decision to remove me from my home and my children's lives on January 16th, 2024, albeit preliminary and unjustified, bypassed the safeguarding of the children's emotional, psychological, and physical well-being. This oversight is compounded by the Petitioner's actions. The juxtaposition of the Court's decision against the backdrop of the Petitioner's inattention to the children's needs illuminates a disconcerting disregard for the paramount principle that custody determinations should primarily serve the children's best interests. The final section of this motion will highlight the procedural aspects of the events unfolding between the dates of January 16th, 2024, and February 1st, 2024, and pray the court will rectify this situation by restoring the stability to our family by vacating the current temporary orders that are in place until a proper investigation can be completed by the courts.

⁵ TEXAS RULES OF CIVIL PROCEDURE – RULE 6 – Suits initiated on a Sunday are invalid.

⁶ See attached EXHIBIT B.2 – A true and accurate copy of the Eviction Dismissal.



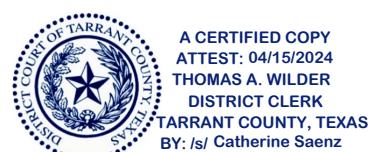
THE PROTECTIVE ORDER HEARINGS

1. In preparation for the Protective Order hearing on January 16th, 2024, I filed with the Court an answer to the Protective Order on January 2nd, 2024 as well as two motions – a motion to consolidate the divorce with the protective order, filed on January 4th, 2024, as well as a motion of continuance, filed on January 8th, 2024 for the purpose to acquire counsel due to the complex nature of the case.¹ All three filings were accepted by the court.
2. On January 16th, 2024, both parties sought additional time to secure legal representation. Despite not reviewing any evidence, witness testimonies, or documents related to the motions, and acknowledging the denial of a previous Emergency Protective Order, the court mandated my departure from our home within four hours. This decision, unexpectedly made, awarded custody to the Petitioner, overlooking my concerns about the adverse effects on our children and my work from home. This ruling, which both parties did not sign, set the case to resume on January 22nd, 2024, to allow time for obtaining counsel.²
3. Following the court's directive, I relocated to my father's residence in Flower Mound until the subsequent hearing. During this interval, the Petitioner did not take the initiative to have the children call once and did not provide any information as to how they were doing, showcasing her lack of empathy and concern for our children's well-being and stability. After incurring substantial expenses to secure representation, I detailed my case and concerns to my attorney, preparing for the next court appearance.
4. On January 22nd, 2024, the Petitioner chose to seek legal representation just minutes before the hearing was due to start, indicating a disregard for the process. My lawyer recommended agreeing to a continuance, thereby extending the period I couldn't work and impacting our established family dynamics. This resulted in a third hearing being set for February 1st, coinciding with my birthday, and a second rendition being ordered.³

¹ See attached EXHIBIT C.1 – A true and accurate copies of all referenced filings in paragraph 1.

² See attached EXHIBIT C.2 – A true and accurate copy of the unsigned rendition ordered on January 16th, 2024.

³ See attached EXHIBIT C.3 – A true and accurate copy of the second rendition ordered on January 22nd, 2024.



5. On February 1st, 2024, during the third hearing, the substantive issues I had raised were not addressed, nor was there any exchange of evidence between our legal representatives. Despite the focus of the hearing supposed to be on the protective order, the discussions veered into custody and child support matters. My lawyer presented the sole option of a temporary return to the family home for 30 days with expanded visitation rights, coupled with a child support obligation starting in April. This outcome, which diverged significantly from the case's core issues, compelled me to reconsider my legal representation. Consequently, I decided to terminate my attorney's services and embarked on drafting this motion myself, aiming to bring the court's attention back to the pivotal elements of the case that had thus far been neglected while able to legally reside in my home.

CONCLUSION AND PRAYER

In conclusion, this motion has laid bare the stark realities and procedural aberrations that have marred the essence of justice and due process in the matter of Cause No. 322-744263-23. Through the course of these proceedings, it has become abundantly clear that the actions taken by the Petitioner, Morgan Michelle Myers, have not only disregarded the welfare and best interests of our children but have also illuminated her unfitness as a parent. Her actions speak to a pattern of deceit, manipulation, and an unsettling willingness to leverage the judicial system for personal vendettas, all at the expense of the emotional and psychological well-being of our children.

The court, in its decisions, inadvertently facilitated this troubling trajectory by removing me, Charles Dustin Myers, from the lives of our children based on unsubstantiated claims and without due consideration of my role as a devoted and stable parent. This oversight has not only disrupted the lives of our children but has also significantly impaired my ability to provide for them, casting a long shadow over their future stability and welfare.

Moreover, the conduct of my Counsel involved has further compounded these issues, demonstrating a distressing disregard for the intricate dynamics and facts of this case. This has culminated in a situation where the paramount importance of the children's best interests and the fundamental principles of fairness and justice have been overshadowed by procedural missteps and a lack of thorough investigation into the Petitioner's fitness as a parent.



Therefore, it is with a heavy hearted yet unwavering resolve that I implore the Court to take immediate and decisive action to rectify these wrongs. Specifically, I respectfully request the Court to:

1. Vacate the existing temporary orders that unjustly removed me from my home and separated me from my children, restoring the status quo ante until a thorough and unbiased evaluation of the facts can be conducted, as the Texas Constitution requires. If left as it stands, these orders will further compound the issues at hand, and will exacerbate the chaos introduced into the children's lives.
2. Set a fair hearing date to delve into the substantive issues at hand, ensuring that all parties are given an equitable opportunity to present their case and that the best interests of our children are placed at the forefront of all considerations.
3. Scrutinize any response or new claims from the Petitioner or her counsel with the utmost diligence, given the established pattern of deceitful and manipulative behavior exhibited by the Petitioner throughout these proceedings.
4. Consider awarding me full custody of our children, ensuring their continued access to a stable, nurturing environment, and the consistent provision of their needs, which I am fully committed to upholding. Furthermore, in alignment with my enduring belief in the importance of both parents in the lives of our children, I pledge to facilitate and encourage a healthy, constructive relationship between the children and their mother, provided she demonstrates a genuine commitment to their well-being and stability.
5. In seeking these remedies, I do so not out of vindictiveness but from a place of deep concern for the welfare of our children and a steadfast belief in the principles of justice and fairness. Despite the pain and turmoil of these proceedings, my ultimate desire is for peace and the best possible outcome for all parties involved, most importantly, our children. It is my sincere hope that the Court will recognize the gravity of the situation and act in a manner that prioritizes the well-being of our children, ensuring their return to a life marked by stability and love.

I affirm under penalty of perjury that all claims herein are true and accurate to the best of my knowledge.

Respectfully submitted on this 9th day of February 2024,

/s/ Charles Dustin Myers

Charles Dustin Myers

Chuckdustin12@gmail.com



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Envelope ID: 84359156

Filing Code Description: Motion (No Fee)

Filing Description: EMERGENCY MOTION TO RECONSIDER EVIDENCE
AND VACATE TEMPORARY ORDERS

Status as of 2/9/2024 4:27 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	2/9/2024 3:17:19 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	2/9/2024 3:17:19 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Bacalis		service@dbacalis.com	2/9/2024 3:17:19 PM	SENT
Tammy L.Johnson		tjohnson@dbacalis.com	2/9/2024 3:17:19 PM	SENT
Daniel R.Bacalis		dbacalis@dbacalis.com	2/9/2024 3:17:19 PM	SENT
CHARLES MYERS		chuckdustin12@gmail.com	2/9/2024 3:17:19 PM	SENT



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ATTEST: 04/15/2024
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TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

EXHIBIT H
NOTICE AND UNSWORN
DECLARATION 03/04/24

IN THE 322nd DISTRICT COURT OF TARRANT COUNTY
 STATE OF TEXAS

Morgan Michelle Myers,

Petitioner,

v.

Charles Dustin Myers,

Respondent

Cause No. 322-744263-23

NOTICE AND UNSWORN DECLARATION

March 3, 2024

Dear Clerk of the Court,

This letter is submitted on behalf of the Respondent in the above-referenced case to provide the court with an update on the Respondent's efforts to uphold the well-being of the children under the current agreed arrangements pending review and to navigate the complexities of this case. The following reasons why it is impossible for the Respondent to vacate the family home under the current agreement pending review are as follows:

1. Since the inception of the case, the Respondent's primary focus has been to reset the status quo ante for the benefit of the children, ensuring their lives remain as normal and uninterrupted as possible during this transitory period after it was significantly disrupted beginning on January 16th, 2024. Despite the challenges posed by the non-suited protective order and the dropped allegations of family violence which were the foundations of all decisions made within this case, the Respondent has respected the orders pending review, and has strived to provide a stable and supportive environment for his children during his designated time, all while planning a transition that best suits his children.
2. During the short amount of time the Respondent has been re-instated to his home, the Petitioner has, on multiple occasions, entered the residence unannounced and without prior consent, actions which stand in stark contrast to her prior requests for protection which have governed this case.



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3. The Petitioner has changed employers since the signing of the agreement.
4. Petitioner has relinquished custody of the children to the Respondent on multiple days during her scheduled time, showcasing the Respondent's ability to care for his children at any time given his at-home work schedule specifically crafted to ensure participation in every aspect of his children's lives remains possible.
5. The Respondent must dedicate substantial time to researching and understanding legal procedures to ensure compliance with court rules and to advocate effectively for the best interests of his children. He is prepared to present all relevant facts and evidence at the upcoming hearing on March 14th, should his partial summary judgment not be accepted.
6. The Respondent has made efforts over the past 30 days to maintain normalcy for his children, showcasing his dedication to their well-being. The Respondent has maintained an amicable relationship with the Grandparents residing next-door, allowing frequent access during his time with the children to visit and attend church, maintaining normalcy and peace.
7. The choice to remain outside the home is a deliberate decision by the Petitioner during the transition period. Self-hosting and advertising is an essential requirement for my at-home operations, which is essential to maintain the quality of life our children are accustomed to. Multiple alternative housing options are available to the Petitioner, including the house next door.

The Respondent remains committed to following the court's directives and ensuring the best possible outcomes for his children. He appreciates the court's attention to these matters and is ready to provide further information or clarification as needed.

My name is Charles Dustin Myers my date of birth is 02-01-1991, and my address is 6641 Anne Court, Watauga TX, 76148, United States. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Tarrant County, TX on this 3rd day of March 2024.

/s/ Charles Dustin Myers
Charles Dustin Myers, Declarant



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TARRANT COUNTY, TEXAS
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Certificate of Service

I certify that a true copy of the Notice and Unsworn Declaration was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on 2024-03-03 to:

Morgan Michelle Myers, Petitioner

By electronic filing manager/email at MORGANMW02@GMAIL.COM

Cooper Carter, Attorney

By electronic filing manager/email at COOPERCARTER@MAJADMIN.COM

/s/ Charles Dustin Myers

Charles Dustin Myers

Respondent

6641 Anne Court

Watauga, Tx 76148

817-507-6562



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Filing Code Description: Notice

Filing Description: Notice / Unsworn Declaration

Status as of 3/4/2024 9:02 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	3/3/2024 11:56:06 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	3/3/2024 11:56:06 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	3/3/2024 11:56:06 PM	SENT



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TARRANT COUNTY, TEXAS
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EXHIBIT I

CURRENT TEMPORARY ORDERS

(ASSOCIATE JUDGE JEFFREY

KAITCER) 03/14/24

CAUSE NO. 322-744263-23

**IN THE MATTER OF
THE MARRIAGE OF**

**MORGAN MYERS
AND
CHARLES MYERS**

**AND IN THE INTEREST OF
MARA MYERS AND CAROLINE
MYERS, CHILDREN**

IN THE DISTRICT COURT

322ND JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

TEMPORARY ORDERS

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

Appearances

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

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

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

Jurisdiction

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

Children

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



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following children:

Name: MARA MYERS

Sex: Female

Birth date: 7 years

Home state: Texas

Name: CAROLINE MYERS

Sex: Female

Birth date: 5 years

Home state: Texas

Conservatorship

IT IS ORDERED that MORGAN MYERS and CHARLES MYERS are appointed Temporary Joint Managing Conservators of the following children: MARA MYERS and CAROLINE MYERS

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

MORGAN MYERS

morganm202@gmail.com



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CHARLES MYERS

chuckdustic12@gmail.com

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

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

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

Possession and Access

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

1. Standard Possession Order

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

(a) Definitions

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

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

(b) Mutual Agreement or Specified Terms for Possession

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



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

(c) When Parents Reside 50 Miles or Less Apart

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

1. Weekends –

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

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

2. Weekend Possession Extended by a Holiday –

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

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

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

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



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

5. Extended Summer Possession by CHARLES MYERS –

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

1. Weekends –

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

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

2. Weekend Possession Extended by a Holiday –

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

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



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

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

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

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

5. Extended Summer Possession by CHARLES MYERS -

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

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

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

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



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

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

(e) Parents Who Reside More Than 100 Miles Apart

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

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

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



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

2. Weekend Possession Extended by a Holiday –

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

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

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

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

4. Extended Summer Possession by CHARLES MYERS –

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

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



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

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

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

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

(f) Holidays

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

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



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

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

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

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

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

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

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

(g) Undesignated Periods of Possession

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



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

(h) General Terms and Conditions

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

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

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

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

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

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

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

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



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

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

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

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

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

This concludes the Standard Possession Order.

2. Duration

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

Child Support

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



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Withholding from Earnings

IT IS ORDERED that any employer of CHARLES MYERS shall be ordered to withhold the child support payments ordered in this order from the disposable earnings of CHARLES MYERS for the support of MARA MYERS and CAROLINE MYERS.

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

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

Payment

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



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

Change of Employment

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

Clerk's Duties

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

Medical and Dental Support

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



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

2. Definitions -

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

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

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

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

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

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



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4. Provision of Health-Care Coverage –

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

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



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

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

5. Allocation of Unreimbursed Expenses -

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



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health-care expense.

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

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

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



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No Termination of Orders on Death of Obligee

An obligation to pay child support under this order does not terminate on the death of MORGAN MYERS but continues as an obligation to MARA MYERS and CAROLINE MYERS.

Other Child Related Provisions

Required Notices

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

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

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



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

Warnings to Parties

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

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

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

Property and Parties

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

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



A CERTIFIED COPY
ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

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

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

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

Co-Parenting Website

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



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DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

App Close

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

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

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

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



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TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

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

Temporary Injunction

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

IT IS ORDERED that Petitioner and Respondent are enjoined from:

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



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DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

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

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

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

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

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

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

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



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DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

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

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

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

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

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

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

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



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TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

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

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

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

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

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

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

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



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BY: /s/ Catherine Saenz

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

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

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

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

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

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

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

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

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

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



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DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

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

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

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

IT IS ORDERED that Petitioner is further enjoined from:

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

IT IS ORDERED that Respondent is further enjoined from:

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

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

IT IS ORDERED that Petitioner is specifically authorized:

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

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

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

IT IS ORDERED that Respondent is specifically authorized:

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

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



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TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

in connection with this suit.

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

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



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BY: /s/ Catherine Saenz

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

Duration

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

SIGNED on March 14, 2024.

Associate 

JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

MARX ALTMAN & JOHNSON



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ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

2905 Lackland Rd.
FT. WORTH, Texas 76116
Tel: (817) 926-6211
Fax: (817) 926-6188

By:  

Cooper L. Carter
Attorney for Petitioner
State Bar No. 24121530
cooper.carter@majadmin.com

Daniel R. Bacalis PC
669 Airport Freeway
Suite 307
Hurst, TX 76053
Office Phone: (817)498-4105
Fax: (817)282-0634

By: 

Daniel Bacalis
Attorney for Respondent
State Bar No. 01487550
dbacalis@dbacalis.com

APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE:

MORGAN MYERS
PETITIONER

CHARLES MYERS
RESPONDENT



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ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

Automated Certificate of eService

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Envelope ID: 85983756

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Filing Description:

Status as of 3/27/2024 7:40 AM CST

Associated Case Party: MORGANMICHELLEMYERS

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

Associated Case Party: CHARLESDUSTINMYERS

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



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ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

EXHIBIT J

AFFIDAVITS IN SUPPORT OF

CHARLES MYERS

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****
S22-744263-23

Cause Number 322-744263-23
(Complete the heading so that it looks exactly like the Petition)

MORGAN MICHELLE MYERS, IN THE 322ND DISTRICT COURT
PETITIONER §
V. §
CHARLES DUSTIN MYERS, §
RESPONDENT § OF TARRANT COUNTY
STATE OF TEXAS

Affidavit

THE STATE OF TEXAS
COUNTY OF LBK
(county where statement is being notarized)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

My name is Aaron J Watson.
First Middle Last.

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

I, Aaron Watson, affirm my association with the data service managed by Mr. Charles Myers over the past two years. During this time, Mr. Myers has demonstrated a strong commitment to delivering high-quality service and has frequently shared personal stories that highlight his devotion to his daughters. His efforts to maintain a balance between his professional responsibilities and his commitment to family, such as surprising his daughters with lunch dates and celebrating significant family events, have endeared him to his customer base and fostered a close-knit community.



However, since December 2023, there has been a notable decline in the reliability and efficiency of the service provided. This shift coincides with Mr. Myers facing significant personal and legal challenges, including a divorce proceeding that has drastically impacted his ability to operate his business effectively. A particularly distressing development for Mr. Myers has been his inability to access the physical location where his business equipment and data connections are housed. This situation has not only disrupted the service but has also imposed significant financial difficulties on Mr. Myers, threatening the sustainability of the business and the quality of service that customers have come to expect.

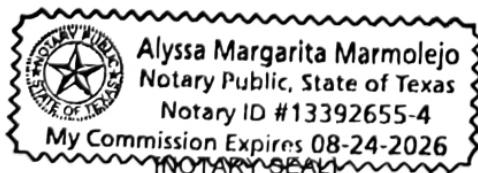
The repercussions of these challenges have been felt deeply by both Mr. Myers and his clientele. While the community understands and sympathizes with Mr. Myers' personal struggles, the increasing service disruptions have raised concerns among users about the future reliability and viability of the service. We are hopeful for a resolution that will allow Mr. Myers to regain access to his business infrastructure, thereby restoring the service quality and reliability that we have valued highly. It is in the interest of both Mr. Myers and his customers to find a solution that addresses these operational challenges while supporting him through his personal difficulties, ensuring the long-term success and sustainability of the service.

Signed this 11 day of March 2024, _____.

Alyssa W. Marmolejo
(signature of affiant)

State of Texas
County of Lubbock

Sworn to and subscribed to before me on March 11th, 2024
(date)
by Alyssa Margarita Marmolejo
(insert printed name of affiant)



Alyssa Margarita Marmolejo
(signature of notarial officer)
My commission expires: 08-24-2026



****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

Cause Number 322-744263-23

(Complete the heading so that it looks exactly like the Petition)

MORGAN MICHELLE MYERS,

IN THE 322ND DISTRICT COURT

PETITIONER

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V.

OF TARRANT COUNTY

CHARLES DUSTIN MYERS,

RESPONDENT

STATE OF TEXAS

Affidavit

THE STATE OF New York

COUNTY OF Suffolk

(county where statement is being notarized)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

My name is Brianna Nicole Galbo.
 First Middle Last

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

This statement serves as a formal declaration of my support for Mr. Charles Myers in light of recent challenges that have resulted in him being unjustly denied access to his home, where his business equipment and operations are based. As a paying client for two years prior to this incident, Mr. Myers maintained a flawless record of uninterrupted service, reflecting his hardworking nature and commitment to excellence. Mr. Myers's dedication to improving both his personal capabilities and the quality of his products has been the cornerstone of his reputation.

The denial of Mr. Myers's access to his home has not only caused significant service disruptions but has also resulted in considerable financial losses for Mr. Myers, myself, and other paying clients that rely on the services that he offers. As someone directly affected by this situation, I have witnessed firsthand the stress and financial strain placed on Mr. Myers, compounded

Affidavit



A CERTIFIED COPY
 ATTEST: 04/16/2024
 THOMAS A. WILDER
 DISTRICT CLERK
 TARRANT COUNTY, TEXAS
 BY: /s/ Catherine Saenz

by the loss of income and client dissatisfaction resulting from these unprecedented service interruptions.

I solemnly affirm that the statements herein are true to the best of my knowledge and belief, provided in support of Mr. Charles Myers to highlight the unjust circumstances leading to the financial and operational setbacks experienced. I submit this affidavit to express the urgent need for a resolution that addresses the losses incurred and to support the reinstatement of access to Mr. Myers's home for the restoration of business operations. It is my sincere hope that the court will recognize the undue hardship placed on Mr. Myers and facilitate a swift resolution to restore his access to his home and thereby his ability to conduct business without further disruptions.

Signed this 10th day of March, 2024.



(signature of affiant)

State of Texas

County of Denton

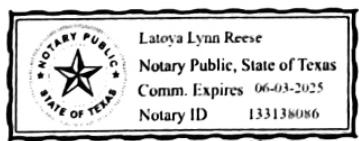
Sworn to and subscribed to before me on

03/10/2024

(date)

by BRIANNA NICOLE GALBO.

(insert printed name of affiant)



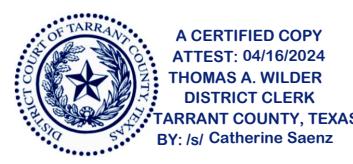
[NOTARY SEAL]



(signature of notarial officer)

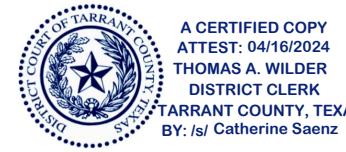
My commission expires: 06/03/2025

Affidavit





Signed by: Latoya Lynn Reese
Time: 2024-03-10 15:26:41 UTC
URL: <https://notarylive.com>



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ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: Is/ Catherine Saenz

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

Cause Number 322-744263-23

(Complete the heading so that it looks like the Petition)

MORGAN MICHELLE MYERS,

IN THE 322ND DISTRICT COURT

PETITIONER

§
§
§
§
§
§
§
§

V.

OF TARRANT COUNTY

CHARLES DUSTIN MYERS,

STATE OF TEXAS

RESPONDENT

Affidavit

THE STATE OF Texas

COUNTY OF Dallas

(County where statement is being notarized.)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

Christian Michael Vroom

My name is Christian Michael Vroom

Fact Notarized Date

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

I'm signing this affidavit to attest to the work ethic and dedication of Charles Myers. I've come to rely on the services he provides in order to gather the required data to make educated decisions on what and when to enter/exit options positions. Recently due to him not being at his normal location of operations the services have had multiple down times in which Charles was not in a position to be able to remedy. Some of these down times have led to significant losses due to making decisions without the necessary data after already being entered in a position.

Affidavit



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ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

Charles' work ethic is unlike anything I've seen in anyone I've ever met and he does everything for the future of his family. I'm constantly amazed at the feats he is able to pull off as a one man show. Some things he is able to create I didn't think were possible but he figures it out through his endless research and personal development efforts.
Again, everything I've seen him do, he does to give his girls the best life he can and wants the world for them. I've seen videos of him with his children out at many different parks/recreational areas and I can tell that they love their father to death and that he would die for them.
I hope his situation is resolved for not only my benefit but for the sakes of his children and the life he is trying to provide them with. Charles Myers is both a good person and amazing father and I would hate to see him and his daughters robbed of the life he is building that they need and deserve.

Signed this 10th day of March, 2024.



(signature of affiant)

State of Texas

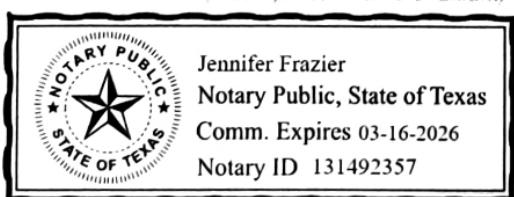
County of Dallas

Sworn to and subscribed to before me on 03/10/2024

by Christian Michael Vroom

(date)

(insert printed name of affiant)



NOTARIZED
Notarized Online with NotaryLive.com



(signature of notarial officer)

My commission expires: 03/16/2026

Affidavit



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ATTEST: 04/16/2024

THOMAS A. WILDER

DISTRICT CLERK

TARRANT COUNTY, TEXAS

BY: /s/ Catherine Saenz

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

Cause Number 322-744263-23
(Complete the heading so that it looks exactly like the Petition)

<u>MORGAN MICHELLE MYERS,</u>	<u>IN THE 322ND DISTRICT COURT</u>
<u>PETITIONER</u>	<u>§§§§§</u>
<u>V.</u>	<u>OF TARRANT COUNTY</u>
<u>CHARLES DUSTIN MYERS,</u>	<u>§§§§§</u>
<u>RESPONDENT</u>	<u>STATE OF TEXAS</u>

Affidavit

THE STATE OF California
 COUNTY OF Stanislaus
(county where statement is being notarized)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

My name is Danny Slade Burt.
First Middle Last

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

Charles Myers runs a data service
seen, his home that I subscribe to.
The disruption of this service could
(and has) caused an inability to make
decisions that affect my finances.
I depend on this service being timely
and available. Mr. Myers should be
allowed access to his business, especially
as it could affect me adversely, if
disruptions continue.



CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Stanislaus

Subscribed and sworn to (or affirmed) before me

on this 11 day of March, 20 24,
by _____ Date _____ Month _____ Year(1) DANNY SLADE BURT _____

(and (2) _____),

Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.

Signature _____

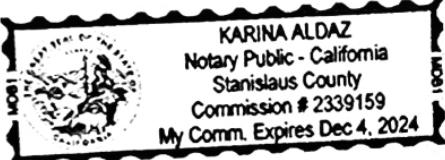
Signature of Notary Public

Seal

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or
fraudulent reattachment of this form to an unintended document.

Description of Attached DocumentTitle or Type of Document: AFFIDAVIT Document Date: MARCH 11, 2024Number of Pages: 2 Signer(s) Other Than Named Above: N/A©2014 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5910

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

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

Cause Number 322-744263-23

(Complete the heading so that it looks exactly like the Petition)

MORGAN MICHELLE MYERS,

IN THE 322ND DISTRICT COURT

PETITIONER

S
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S
S

v.

OF TARRANT COUNTY

CHARLES DUSTIN MYERS,

S
S
S
S

RESPONDENT

STATE OF TEXAS

Affidavit

THE STATE OF Michigan

COUNTY OF Oakland

(county where statement is being notarized)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

My name is John Julian Varela

First

Middle

Last

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

I am a client & investor that has been working with Charles for roughly 2 and 1/2 years. In this time he has always been working diligently to keep his services available to me, & the other customers and investors that Charles serves. It is my understanding that Charles has been locked out of his place of business, and under the direction of Morgan their land lord won't let Charles

Affidavit

Page 1 of 2



A CERTIFIED COPY

ATTEST: 04/16/2024

THOMAS A. WILDER

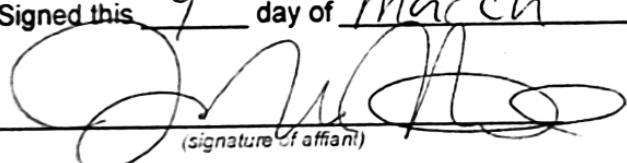
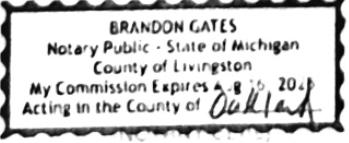
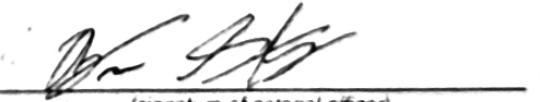
DISTRICT CLERK

TARRANT COUNTY, TEXAS

BY: /s/ Catherine Saenz

Brickin. This has adversely effected
me, and your other clients & investors
Because Charles cannot operate
out without access to the property.
Let this statement make clear my support
for Charles, and along with our other customers

Thank you for your time,

Signed this <u>9</u> day of <u>March</u> , <u>2024</u> .
 (signature of affiant)
State of <u>Michigan</u>
County of <u>Oakland</u>
Sworn to and subscribed to before me on <u>03/09/2024</u> by <u>John Julian Varela</u> . (insert printed name of affiant)
 BRANDON GATES Notary Public - State of Michigan County of Livingston My Commission Expires 08/16/2025 Acting in the County of Oakland
 (signature of notarial officer)
My commission expires: <u>08/16/2025</u>

Affidavit

Page 2 of 2



A CERTIFIED COPY
ATTEST: 04/16/2024
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Catherine Saenz

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****

322-744263-23

Cause Number 322-744263-23

(Complete the heading so that it looks exactly like the Petition)

MORGAN MICHELLE MYERS,

PETITIONER

v.

CHARLES DUSTIN MYERS,

RESPONDENT

IN THE 322ND DISTRICT COURT

§
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§
§
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§

OF TARRANT COUNTY

STATE OF TEXAS

Affidavit

THE STATE OF California

COUNTY OF San Diego

(county where statement is being notarized)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

My name is Luz Maria Oble

First

Middle

Last

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

I subscribed for an extensive education program under Charles Myers to gain expertise in reading and researching market data. Charles Myers, a dedicated father, teacher, and mentor, has been instrumental in inspiring myself and numerous others to independently pursue knowledge in the field of financial data. The instability in Charles Myers' living situation has adversely affected his ability to fulfill his work commitments to the best of his capacity. This instability has had a significant impact on my ability to efficiently learn and absorb the subject matter, as Charles Myers is unable to work full time from his home office. Charles Myers requires a meticulously crafted computer setup to efficiently manage and process extensive data sets and resource-intensive programs essential for his work in market research and education. The consequence of Charles Myers' restricted

Affidavit

Page 1 of 2



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

work environment has directly impacted my financial education, limiting my access to the full breadth of knowledge and guidance originally anticipated, and finances. I affirm the truth and accuracy of the foregoing statements to the best of my knowledge, belief, and understanding, under penalty of perjury.

Signed this 13th day of March, 2024.

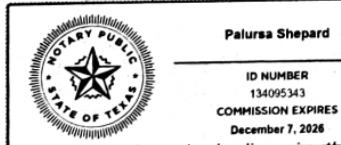
Luz Maria Oble

State of Texas

County of Parker

Sworn to and subscribed to before me on 03/13/2024
(date)

by Luz Maria Oble
(insert printed name of affiant)



Palurso Shepard

ID NUMBER
134095343
COMMISSION EXPIRES
December 7, 2026

Palurso Shepard

Palurso Shepard
134095343

Notary Public, State of Texas

Electronically signed and notarized online using the Proof platform.

[NOTARY SEAL]

My commission expires: 12/07/2026

Affidavit

Page 2 of 2



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

****THIS IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY****
322-744263-23

Cause Number 322-744263-23

(Complete the heading so that it looks exactly like the Petition)

MORGAN MICHELLE MYERS,

IN THE 322ND DISTRICT COURT

PETITIONER

§
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§

V.

OF TARRANT COUNTY

CHARLES DUSTIN MYERS,

RESPONDENT

STATE OF TEXAS

Affidavit

THE STATE OF California

COUNTY OF Orange
(county where statement is being notarized)

The person who signed this affidavit, appeared in person, before me, the undersigned notary, and stated under oath:

My name is Nicholas Glen Morvan.
First *Middle* *Last*

I am of sound mind and capable of making this statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement, I may be held criminally responsible. This statement is true and correct.

I am a paying customer of Charles Myers for the past two years and four months. In this time, he has been working exclusively out of his home office to run his business, and provide for his family.

Charles has worked very hard for the past two years to provide a quality experience that benefits all of his customers. His ability to provide these services have been directly impacted by his inability to access his home office. As a result, my experience as a customer has suffered, and I am not receiving the level of service that I have been paying for. I understand that there are unfortunate circumstances and I am patient while Charles resolves his situation. He has been incredibly apologetic that he cannot provide the same level of quality, and uninterrupted service due to his inability to work out of his home office. I do not question his integrity with regards to this situation, he has always been honest and upfront with myself and others. My hope is that he may return to his home office in order to avoid shutting down



the buisness that he has worked on day and night for the past two years.

Signed this 13th day of March, 2024.

Nicholas Morvan *Nich Morvan*

(signature of affiant)

State of California

County of Orange

Sworn to and subscribed to before me on _____

(date)

by _____

(insert printed name of affiant)

* SEE ATTACHED COPY

(signature of notarial officer)

[NOTARY SEAL]

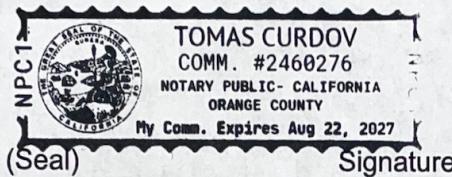
My commission expires: 08/22/2027



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of ORANGE

Subscribed and sworn to (or affirmed) before me on this 13TH day of MARCH, 2024, by NICHOLAS GLEN MORVAN, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal) Signature T.Curd.



EXHIBIT K

DENIAL ON RESPONDENT'S

EMERGENCY MOTION TO

VACATE 03/14/24

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

CAUSE NUMBER: 322 - 744263-23

ITMOTMO/INRE/ITIO

Myers

§
§
§
§

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

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

Approved as to form

CJ

Attorney for Petitioner

Attorney for Respondent

~~Court Notes that Respondent would not sign this report
as to form. He did agree that paragraphs 1 & 3 correctly
Petitioner reflected the Court's ruling after a hearing.
SO ORDERED: He did not agree the Paragraph 2 accurately
reflected the Court's ruling, but provided no alternative
Associate Judge long way, therefore the Court signed this
report.~~

3/14/22
Date

Associate Judge

Page _____ of _____

200 East Weatherford Street
Fort Worth, Texas 76196



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

EXHIBIT L
PROPOSED PARENTING PLAN
01/07/23

IN THE DISTRICT COURT OF TARRANT COUNTY, TEXAS

322ND DISTRICT FAMILY COURT

MORGAN MICHELLE MYERS, §

Plaintiff, §

§

vs. § Case No. 322-744538-23

§

CHARLES DUSTIN MYERS, §

Defendant. §

EXHIBIT A: TEMPORARY VISITATION ADJUSTMENT PROPOSAL

Respondent: Charles Dustin Myers

Understanding the intricate nature of our family's current situation and the legal complexities involved, I, Charles Dustin Myers, propose a thoughtful adjustment to the visitation schedule that aligns with our cohabiting status and the abrupt changes brought about by the divorce announcement.

1. Co-habitation Acknowledgement:

It is acknowledged that both parents currently cohabit, which complicates traditional custody arrangements. Therefore, the immediate priority is to facilitate a transition where both parties can establish their respective independent living and working arrangements without disrupting the children's lives.

2. Transition Period:

Morgan's Employment: Provide Morgan with the necessary support and time to secure stable employment, which is vital for her to contribute to the children's needs and establish her own residence.

Stable Housing for Charles: As I seek stable housing to maintain my significant role in our daughters' lives, flexibility in visitation is essential to ensure I continue to fulfill my parental duties.



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

3. Work and Research Commitments:

The concurrent legal proceedings, particularly those based on unverified claims, demand a substantial amount of my time for research and preparation to protect the children's well-being.

My ability to work has been affected by the proceedings, necessitating an adjustment in my day-to-day routine to accommodate these new responsibilities.

4. Interim Custody Logic:

Continuity for Children: While we navigate these proceedings, it is critical to maintain stability and continuity for our children. Any temporary custody arrangements should reflect the least disruptive path for them.

Counseling and Mediation: I strongly advocate for counseling or mediation to reconcile and navigate the divorce process, emphasizing the children's best interests rather than abrupt and contentious changes.

5. Court's Facilitation:

The court's facilitation in endorsing a temporary and flexible visitation framework is crucial. This framework must account for the current living situation and the significant emotional and logistical upheaval that the divorce proceedings have caused.

This proposal is made in the spirit of cooperation, with a focus on minimizing the impact of our marital dissolution on our children. It is with a sincere hope that we can transition into a stable co-parenting arrangement that keeps our children's welfare as the priority.

Respectfully submitted,

X CDM 01-01-2024
Charles Dustin Myers

6641 Anne Court

Watauga, Texas 76148

817-507-6562

Chuckdustin12@gmail.com



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

Certificate of Service

I hereby certify that a true and correct copy of the foregoing document, **EXHIBIT A: TEMPORARY VISITATION ADJUSTMENT PROPOSAL**, has been furnished to the following on 2024-01-07:

To Plaintiff:

Morgan Michelle Myers

Email: morganmw02@gmail.com

Method of Service:

Via electronic mail to morganmw02@gmail.com as per the agreement between parties for electronic communication.

Executed on this sixth day of January, 2024.

x CDM

Charles Dustin Myers

6641 Anne Court

Watauga, Texas 76148

817-507-6562

Chuckdustin12@gmail.com



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

EXHIBIT M

BACKGROUND REPORT FOR CASE

CONSOLIDATION 01/03/24

Background Report for Case Consolidation

Case Details:

Divorce Case (Cause No. 322-744263-23) in the 322nd District Court of Tarrant County, filed on December 18, 2023.

Protective Order Case (Cause No. 322-744538-23) in the 322nd District Court of Tarrant County.

Reasons for Consolidation:

Interconnected Issues:

The divorce case and the protective order case involve overlapping issues concerning family violence allegations, which are central to the divorce proceedings and directly affect custody and visitation rights. The protective order case includes allegations of family violence, which are also a pivotal point in the divorce case in determining the waiver of the standard waiting period for the divorce.

Consistency in Rulings:

Consolidating the divorce and protective order cases would ensure consistency in the court's findings, particularly regarding any allegations of family violence and their impact on the dissolution of marriage, custody, and visitation rights.

Judicial Economy:

Hearing both cases together would promote judicial economy by avoiding duplication of legal proceedings, as both cases are likely to involve similar witnesses, evidence, and legal arguments.

Claims of False Statements:

There have been claims of false statements and perjury related to the protective order, which could have significant implications for the divorce case. For instance, the claim that the plaintiff intentionally lied about being unable to pay court fees and made false allegations of family violence to gain an advantage in the divorce proceedings suggests that a single judge should hear both matters for a clear understanding of the facts.

Evidence of Misrepresentation and False Statements:

Evidence provided suggests that there have been misrepresentations to the court, including the transfer of funds from the joint account and the plaintiff's interaction with third parties, which could affect both the protective order and the divorce outcome. The protective order – which was based on claims of family violence – are entirely baseless as I have no record of family violence, and no evidence from the Plaintiff has been provided to substantiate these claims.

Landlord-Tenant Relationship:

The eviction case, although not directly related to family law matters, stems from claims and actions that are deeply intertwined with the divorce and protective order cases, suggesting that the alleged family violence and the actions of the plaintiff have been used to justify an eviction that coincides with the timing of the divorce and protective order filings.

Conclusion:

Given the overlapping factual and legal issues in the divorce and protective order cases, consolidation would serve the interests of justice and efficiency. It would ensure that the court has a comprehensive understanding of the intertwined nature of the family's circumstances, which is vital for fair and equitable resolution of these matters. While the eviction case may not be directly consolidated due to jurisdictional differences, it should be considered in context with the other cases to provide a complete picture of the ongoing disputes and to keep the best interests of our children intact.

Respectfully submitted,

Charles Myers

Chuckdustin12@gmail.com

817-507-6562

X 

On this day of 01-03-2024



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

EXHIBIT N
RULE 12 MOTION TO SHOW
AUTHORITY 09/20/24

NO. 322-744263-23
IN THE 322ND DISTRICT COURT OF TARRANT COUNTY, TEXAS**Morgan Michelle Myers,**

Petitioner,

v.

Respondent's Rule 12 Motion to Show
Authority**Charles Dustin Myers,**

Respondent

2024-09-20

To the Honorable Judge of the 322nd District Court of Tarrant County:**REBUTTABLE PRESUMPTION**

There is a general presumption that an attorney is acting with authority; however, that presumption is rebuttable. *Breceda v. Whi*, 187 S.W.3d 148, 152 (Tex. App.--El Paso 2006, no pet.); *Kelly v. Murphy*, 630 S.W.2d 759, 761 (Tex. App.--Houston [1st Dist.] 1982, writ ref'd n.r.e.); *see also City of San Antonio v. Aguilar*, 670 S.W.2d 681, 684 (Tex. App.--San Antonio 1984, writ dism'd) ("[A]n attorney who has conducted a case in the trial court is presumed to have authority to pursue an appeal, although this presumption can be rebutted."). Here, however, this presumption is to be rebutted for the foregoing reasons:

I. Legal Basis for Rule 12 Motion

2. Pursuant to Tex. R. Civ. P. § 12, a party may challenge an attorney's authority to act on behalf of a party in a proceeding. When such a challenge is raised, the burden of proof shifts to the challenged attorney to demonstrate their authority to represent the party. *Id.* The attorney must appear before the trial court and show sufficient authority to prosecute or defend the suit on behalf of their client. (*Breceda v. Whi* (2006) 187 S.W.3d 148, 152; *Kelly v. Murphy* (1982) 630 S.W.2d 759, 761).

3. Rule 12 of the Texas Rules of Civil Procedure permits any party to challenge an attorney's authority to prosecute or defend a lawsuit. (See *Nolana Open MRI Ctr., Inc. v. Pechero* (2015) No. 13-13-00552-CV, at *15). The purpose of a Rule 12 motion is to protect parties from groundless suits and to permit dismissal of suits instituted without authority. (See *Nicholas v. Envtl. Sys. (Int'l) Ltd.* (2016) 499 S.W.3d 888, 895; *Angelina Cty. v. McFarland* (1964) 374 S.W.2d 417, 422–23).

4. Here, the procedural inconsistencies, lack of formal notice, and submission of documents by other parties on behalf of Ms. Carter raise substantial doubts about whether she possesses the necessary authority to represent the Petitioner. Despite being allegedly retained on January 22, 2024, Ms. Carter has not filed a formal notice of appearance, leaving her role ambiguous. Further complicating matters, filings under her name have been submitted by others, including the founder of Marx Altman & Johnson, her purported former employer. Coupled with her suspiciously timed State Bar profile update and lack of meaningful engagement, these facts compel the Respondent to seek clarification and challenge her authority under Rule 12.

II. Procedural Basis

5. No Formal Notice of Appearance Filed. Although Cooper Carter was allegedly retained on January 22, 2024, she has not filed a formal Notice of Appearance in this case. The absence of a Notice of Appearance creates substantial ambiguity regarding her authority to represent the Petitioner, especially given the procedural irregularities discussed below.

6. Lack of engagement. Throughout the proceedings, Ms. Carter has consistently failed to engage in any meaningful way and has failed to respond to any pleadings in the suit.

7. Filings Submitted on Behalf of Cooper Carter. All court documents and pleadings attributed to Ms. Carter have been submitted "on her behalf" by **Roderick Marx**, the founder of **Marx Altman & Johnson**. There is no indication that Ms. Carter is directly involved in this matter, raising significant questions about whether she is properly authorized to act as counsel for Morgan Michelle Myers.

8. Discrepancies in employment. On Ms. Carter's public social media, she claims to be a former attorney for Marx Altman & Johnson and claims to be employed currently with Cantey Hanger LLP.¹ The timeliness of her profile aligns with the public article released by Cantey Hanger LLP

¹ [Ms. Carter's public LinkedIn profile](#)

themselves.² Further, Every attorney in Texas is required by law to maintain a current and up-to-date profile. Tex. Gov't Code § 81.115. Notably, Ms. Carter's profile was updated on **March 13th, 2024**, one day prior to the only hearing that has occurred in this matter³ to her former employer. The Respondent has actively been seeking relief from the result of the aforementioned hearing for nearly seven months without any engagement or any authoritative activity from Ms. Carter, thus warranting this motion.

III. Prayer and Relief

9. Given the ongoing procedural irregularities and the apparent lack of clarity surrounding **Cooper Carter's** authority to represent Petitioner **Morgan Myers**, the Respondent respectfully requests the following:
 - i. The Court should schedule a hearing requiring Cooper Carter to personally appear and definitively prove her authority to represent **Morgan Myers**, and to provide clarification as to who is involved in the case, and in what capacity Morgan Michelle Myers is being represented in this matter.
 - ii. "Upon [her] failure to show such authority, the court shall refuse to permit the attorney to appear in the cause, and shall strike the pleadings if no person who is authorized to prosecute or defend appears." (Tex. R. Civ. P. 12; see *Kindle v. Wood Cnty. Elec. Co-op, Inc.* (2004) 151 S.W.3d 206, 210)

² [News article corroborating employment timeline](#)

³ [Ms. Carter's Texas State Bar profile](#).

iii. Grant of Summary Judgment Motion: Given that the Respondent's pending summary judgment motion filed on February 26th, 2024, remains unchallenged due to the lack of any meaningful engagement from **Cooper Carter**, and in light of the procedural deficiencies highlighted above, the Court should **grant the pending summary judgment via the attached order** as unopposed for judicial efficiency and to reset the status quo ante.

iv. Stay all other formal settings and proceedings until resolution of this motion.

v. **Respondent seeks no further sanctions against Ms. Carter given she fails to show her authority over the Petitioner in this matter.**

Respectfully submitted,

Respectfully Submitted,

/s/ Charles Dustin Myers

Charles Dustin Myers

Chuckdustin12@gmail.com

1-817-507-6562

CERTIFICATE OF SERVICE

Respondent hereby certifies that on **09/20/2024**, a true and correct copy of the **Respondent's Rule 12 Motion to Show Authority** was served on the following parties via **electronic service through the Electronic Filing Manager (EFM)** and via **email** to the email address on record, pursuant to **Texas Rules of Civil Procedure 21a and 191.4.**

Served to:

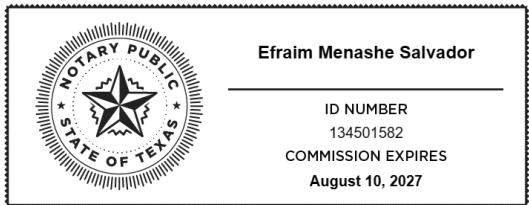
- **Morgan Michelle Myers**, Petitioner via electronic filing system.
- **Cooper Carter**, Counsel for Petitioner via electronic filing system.
- **Email Addresses for Service:**
coopercarter@majadmin.com & morganmw02@gmail.com

/s/ Charles Dustin Myers
Charles Dustin Myers
6641 Anne Court
Watauga, TX 76148
chuckdustin12@gmail.com
817-507-6562

Certificate of Conference

Pursuant to the Tarrant County Local Rule 4.01(10)(b), a conference was not held with Cooper L. Carter on the merits of this motion because Cooper Carter failed to respond to email correspondence sent on **09/17/2024**.

Charles Dustin Myers
/s/ Charles Dustin Myers
Charles Dustin Myers
6641 Anne Court
Watauga, TX 76148
chuckdustin12@gmail.com
817-507-6562



State of Texas

County of Johnson

Sworn to and subscribed before me

on 09/20/2024 by Charles Dustin Myers.

A handwritten signature in blue ink, appearing to read "ED".

Electronically signed and notarized online using the Proof platform.

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: 92285306

Filing Code Description: Motion (No Fee)

Filing Description: RULE 12 MOTION TO SHOW AUTHORITY

Status as of 9/20/2024 4:33 PM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	9/20/2024 3:31:19 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	9/20/2024 3:31:19 PM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	9/20/2024 3:31:19 PM	SENT

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: 92846417

Filing Code Description: Motion (No Fee)

Filing Description: Joint Motion to Recuse

Status as of 10/7/2024 10:44 AM CST

Associated Case Party: MORGANMICHELLEMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
MORGAN MICHELLEMYERS		morganmw02@gmail.com	10/7/2024 7:30:03 AM	SENT
Cooper L.Carter		cooper.carter@majadmin.com	10/7/2024 7:30:03 AM	SENT

Associated Case Party: CHARLESDUSTINMYERS

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	10/7/2024 7:30:03 AM	SENT

Associated Case Party: ATTORNEY GENERAL OF TEXAS

Name	BarNumber	Email	TimestampSubmitted	Status
HOLLY HAYES		csd-filer-914@texasattorneygeneral.gov	10/7/2024 7:30:03 AM	SENT