

NO. 322-744263-23

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

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IN THE DISTRICT COURT

322<sup>ND</sup> JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

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**JOINT MOTION  
TO VACATE “ORDER SUMMARILY DENYING MOTION TO RECUSE”<sup>1</sup>  
AND  
TO VACATE “ORDER DIRECTING THE CASE TO PROCEED TO TRIAL PURSUANT  
TO TEX. CIV. PRAC. & REM. CODE § 30.016”  
AND  
TO VACATE “ORDER RE MANDATORY SANCTIONS FOR THE FILING OF  
TERTIARY RECUSAL MOTION”  
AND  
TO STRIKE PETITIONER’S “MOTION FOR SANCTIONS AND REQUEST FOR  
ATTORNEY’S FEES”**

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**TO THE HONORABLE DAVID L. EVANS OF THE 8<sup>TH</sup>  
ADMINISTRATIVE JUDICIAL REGION OF TEXAS:**

COMES NOW, Respondent, CHARLES DUSTIN MYERS, who shows the court as follows, why the orders issued on September 26, 2025, must be vacated, a hearing be held on the issues raised herein, and to take judicial notice of the Petitioner’s fraudulent misrepresentations:

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<sup>1</sup> As to both orders. See Exhibits 1 and 2.

## I. BACKGROUND

1. On September 26, 2025, this Court entered two orders (attached as Exhibits 1 and 2) purporting to **summarily deny two motions to recuse** (one titled “Motion to Recuse Judge Munford” and one titled “Motion to Recuse Judge Kaitcer”). In reality, **Respondent filed only a single motion** on September 5, 2024 (file-stamped 11:25 A.M., attached as Exhibit 3) titled **“Motion to Recuse”**, which *solely* sought recusal of Judge James Munford. Nowhere in that motion was Associate Judge Jeff Kaitcer named or implicated. This misidentification mirrors the error that arose during prior recusal proceedings (leading to Texas Supreme Court case nos. 25-0426 and 25-0458), where the Court erroneously referenced two separate recusal motions (against both Judge Munford and Judge Kaitcer) when in fact only **one motion (later amended) against Judge Munford** had been filed.
2. These actions are not the actions of an impartial Court. At the Regional level of the judiciary, on multiple occasions, we are putting our feelings regarding self-represented litigants before the law – even when his legal position is correct and unopposed by any party.
3. Perhaps even more concerning is that this Court *ordered* the other side to file a motion for sanctions *when they did not oppose the motion to recuse*. The Court acts as if there isn’t a case docket that supports these facts and continues to operate in a manner that exhibits clear favoritism towards an incompetent and unethical attorney who has not defended her client’s crimes as alleged.
4. Finally, the opposing party actually *filed the motion for sanctions* and requested **\$10,000 in attorney’s fees without the required exhibits** in a boilerplate motion which labeled Respondent’s motions as “frivolous” despite not responding to a single one of them. *Exhibit 4*.
5. There is no rational basis for these actions, and these orders must be vacated immediately.

## **II. GROUNDS TO VACATE THE ORDER SUMMARILY DENYING THE MOTION TO RECUSE**

6. The Court's orders issued on September 26, 2025, explicitly reference two motions. *Exhibit 1* references a motion titled "Motion to Recuse Associate Judge Kaitcer", while *Exhibit 2* references a motion titled "Motion to Recuse Judge Munford". However, *Exhibit 3* clearly shows the title of the motion is "Motion to Recuse". The Court cannot deny motions which were never filed, therefore the orders issued September 26, 2025, as to the order summarily denying the motions to recuse must be vacated, and the original unadjudicated motion should be considered on its' merits. See *Exhibit 3* (original motion filed with the Court).

## **III. GROUNDS TO VACATE ORDER DIRECTING THE CASE TO PROCEED TO TRIAL PURSUANT TO TEX. CIV. PRAC. & REM. CODE § 30.016**

7. The orders which reference non-existent motions cite **30.016** of the Texas Practice and Remedies Code as its' reasoning to proceed to final trial. This does not require a court order and is automatic by statute. The reasoning for this order seems to be in reference to Judge James Munford's "Order of Referral" where he declined to recuse himself from the case and referred the motion to the Regional Judge. *Exhibit 5*. When comparing *Exhibits 3* (the original Motion to Recuse) and *Exhibit 5* (the order of referral with attached motion to recuse), they are not the same thing. The referred motion, similar to the motions filed in the prior two recusal proceedings, was modified to remove the bookmarks and hyperlinks, thereby affecting its readability.

8. The original motion, as filed, was not forwarded to the Regional Judge in its' original or certified form, as required by law, in any of the recusal proceedings to date.

9. For these reasons, the order directing the case to proceed to trial pursuant to Tex. Civ. Prac. & Rem. Code § 30.016 is legally unnecessary and this order should be vacated.

#### IV. GROUNDS TO VACATE ORDER RE MANDATORY SANCTIONS FOR THE FILING OF TERTIARY RECUSAL MOTION

10. The Court cannot order a party to file a motion for sanctions regarding 1) a motion that was never filed and 2) a motion that was never opposed. The Court's own order highlights this when it cites to Tex. Civ. Prac. & Rem. Code§ 30.016 (c), which states "*A judge hearing a tertiary recusal motion against another judge who denies the motion shall award reasonable and necessary attorney's fees and costs to the party **opposing the motion.***" (emphasis added)

11. Here, no such opposition has been filed. In fact, no opposition has been filed in response to any of the Respondent's pleadings throughout this case by the opposing party.

12. By ordering a motion for sanctions to be filed, the Court is advocating on behalf of the Petitioner. The impartial line of reasoning would have been for the Court to **order that a response be filed by the opposing party**, not that a **motion for sanctions be filed regarding motions that do not exist.**

13. For these reasons, the order entitled "ORDER RE MANDATORY SANCTIONS FOR THE FILING OF TERTIARY RECUSAL MOTION" must also be vacated.

#### V. GROUNDS TO STRIKE PETITIONER'S MOTION FOR SANCTIONS AND REQUEST FOR ATTORNEY'S FEES

14. The most troubling aspect of this case is that the alleged attorney for Petitioner, COOPER L. CARTER, continues to file fraudulent pleadings with this Court which have no basis in law or fact. Even if the non-existent motions did exist, COOPER L. CARTER's motion is facially improper and her persistent incompetence is the crux of the issue within this case.

15. This attorney had a pleading entitled "Motion for Sanctions and Request for Attorney's Fees" filed on October 2, 2025, *on her behalf* by Roderick D. Marx, an individual not named in

this lawsuit. Cooper L. Carter has been under challenge pursuant to Rule 12 since September 20, 2024, and has continued to defraud the Courts on multiple occasions with boilerplate motions that have no factual basis. This latest motion is no different. See *Exhibit 6*.

16. In this motion, **\$10,000 in attorney's fees** are being requested for "several frivolous motions" to which she never provided a response to. This makes the motions **unopposed**, not **frivolous**. Cooper L. Carter is under the misconception that because she holds a license to practice law, she is free to violate it simply because the Respondent is representing himself.

17. The record clearly shows that this attorney has not performed any duties normally expected of an attorney, and the **\$10,000 request for sanctions** is yet another fraudulent misrepresentation made by this attorney.

18. Notwithstanding the above, even if Cooper L. Carter had responded to the motion to recuse and performed legal work to justify \$10,000 sanctions, her motion remains facially invalid, as per the Court's order, exhibits were required to be attached. This further showcases that despite her status as a licensed attorney, her knowledge of the law is lacking, and she has no right to declare motions as "frivolous" when she hasn't provided any response.

19. These are not accidental errors. This is intentional misrepresentation for personal enrichment, and the impartial course of action for this Court would be to set a hearing on the **motion to recuse** which was actually filed and served rather than advocate on behalf of the non-participating party.

20. Cooper L. Carter should be required to file a coherent response to these facts.

## VI. CONCLUSION

21. The Court continues to adjudicate motions which were never filed, continues exhibit Favoritism towards the Petitioner, and went so far as to *order* one side of the case to ask for Sanctions on a motion that does not exist and to which she did not respond to.

22. These errors are not superficial – they strike at the heart of due process and have made a mockery of these proceedings. There is no evidence anyone is even reading the Respondent’s pleadings, yet feels entitled to label them as “frivolous”. There is no evidence that the original recusal motion was ever referred to the Court.

23. There is clear misconduct occurring in this case, and Respondent reserves the right to file a response to a **coherent, fact-based motion for sanctions with the required exhibits once a proper response is submitted.**

24. The Court cannot continue to retaliate, as it has done here, against the Respondent without any legal basis. His self-represented status does not permit the opposing attorney to conduct her duties incompetently, and does not give the Court justification to intentionally misapply the law and advocate on behalf of the other side.

25. Respondent’s legal position is correct absent any response or a coherent order, relief is warranted, and the orders issued on September 26, 2025, must be vacated, the clear frivolous Motion for Sanctions and Request for Attorney’s Fees must be stricken, and a hearing on the correct **motion to recuse** should be scheduled at the earliest opportunity for the reasons stated above.

## VII. PRAYER FOR RELIEF

WHEREFORE, all premises considered, Respondent, CHARLES DUSTIN MYERS prays that this Court:

- i. VACATE the orders entitled “**ORDER SUMMARILY DENYING MOTION TO RECUSE**” for misidentifying the motions, and provide a ruling on the **correct motion to recuse**, as filed, after notice and hearing;
- ii. VACATE the orders entitled “**ORDER DIRECTING THE CASE TO PROCEED TO TRIAL PURSUANT TO TEX. CIV. PRAC. & REM. CODE § 30.016**” for being legally unnecessary;
- iii. VACATE the orders entitled “**ORDER RE MANDATORY SANCTIONS FOR THE FILING OF TERTIARY RECUSAL MOTION**” for showing clear favoritism towards a non-responsive party and require a coherent response from the other side on the **motion to recuse**;
- iv. STRIKE the “**MOTION FOR SANCTIONS AND REQUEST FOR ATTORNEY’S FEES**” that has no basis in law or fact, failed to follow the Court’s explicit instructions, and which seeks sanctions in the amount of **\$10,000** on a motion that does not exist;
- v. TAKE judicial notice that the Petitioner has not participated in these proceedings, and failed to address any of the issues raised in the true and correct **recusal motion**.
- vi. PROVIDE any further relief the court deems just and right given these unusual and extraordinary circumstances;

Respectfully submitted,

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS  
817-546-3693  
[CHUCKDUSTIN12@GMAIL.COM](mailto:CHUCKDUSTIN12@GMAIL.COM)  
PRO-SE RESPONDENT

**CERTIFICATE OF SERVICE**

Respondent certifies that on October 7, 2025, a true and accurate copy of this “**JOINT MOTION TO VACATE “ORDER SUMMARILY DENYING MOTION TO RECUSE”<sup>2</sup> AND TO VACATE “ORDER DIRECTING THE CASE TO PROCEED TO TRIAL PURSUANT TO TEX. CIV. PRAC. & REM. CODE § 30.016” AND TO VACATE “ORDER RE MANDATORY SANCTIONS FOR THE FILING OF TERTIARY RECUSAL MOTION” AND TO STRIKE PETITIONER’S “MOTION FOR SANCTIONS AND REQUEST FOR ATTORNEY’S FEES”** was served upon all parties of record pursuant to Rule 21a of the Texas Rules of Civil Procedure.

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS

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<sup>2</sup> As to both orders. See Exhibits 1 and 2.



# **EXHIBIT 1**

## CAUSE NO. 322-744263-23

IN THE MATTER OF  
THE MARRIAGE OFMORGAN MICHELLE MYERS  
AND  
CHARLES DUSTIN MYERS

AND IN THE INTEREST OF

M [REDACTED] M [REDACTED] AND  
C [REDACTED] M [REDACTED], CHILDREN§  
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IN THE DISTRICT COURT

322<sup>ND</sup> JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

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**ORDER SUMMARILY DENYING MOTION TO RECUSE  
AND  
ORDER DIRECTING THE CASE TO PROCEED TO TRIAL PURSUANT TO  
TEX. CIV. PRAC. & REM. CODE § 30.016  
AND  
ORDER RE MANDATORY SANCTIONS FOR THE FILING OF  
TERTIARY RECUSAL MOTION**

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Before me is a pleading entitled *Motion to Recuse Associate Judge Kaitcer* filed by Charles Dustin Myers. This motion was referred to me after Associate Judge Jeff Kaitcer declined to recuse himself by order dated September 9, 2025.

Mr. Myers has filed three or more motions to recuse and/or disqualify judges in this case. When a party files his third motion to recuse in a case, the judge(s) must *move the case to final disposition as though a tertiary recusal motion had not been filed*. Tex. Civ. Prac. & Rem. Code § 30.016 (b) (3); Gonzalez v. Guilbot, 315 S.W.3d 533 (Tex. 2010). That is, once a tertiary motion to recuse is filed, the judges assigned to the case are required to proceed and cannot delay the case because of the filing of a motion to recuse.

Further, sanctions are mandatory if a tertiary recusal motion is denied. Tex. Civ. Prac. & Rem. Code § 30.016 (c), which provides as follows:

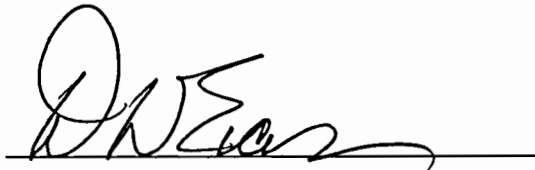
*A judge hearing a tertiary recusal motion against another judge who denies the motion shall award reasonable and necessary attorney's fees and costs to the party opposing the motion. The party making the motion and the attorney for the party are jointly and severally liable for the award of fees and costs. The fees and costs must be paid before the 31st day after the date the order denying the tertiary recusal motion is rendered, unless the order is properly superseded.*

I have reviewed the motion as to Associate Judge Kaitcer and the motion fails to meet the requirements of Texas Rules of Civil Procedure 18a(a) because it does not state with detail and particularity admissible facts that would justify recusal or disqualification if proven. Tex. R. Civ. P. 18a(a)(4).

IT IS THEREFORE ORDERED THAT:

1. The motion to recuse is denied as to Associate Judge Kaitcer without hearing Tex. R. Civ. P 18a(g)(3)(A), (i).
2. All judges in this case will comply with Tex. Civ. Prac. & Rem. Code § 30.016 (b) (3) requiring judges to *move the case to final disposition as though a tertiary recusal motion had not been filed*.
3. The issue of the mandatory sanctions required by Tex. Civ. Prac. & Rem. Code § 30.016 (c) will be handled as follows:
  - a. The parties entitled to sanctions will file on or before October 3, 2025, a motion for sanctions with exhibits showing reasonable and necessary attorney's fees and cost attached to the motion.
  - b. Mr. Myers will file his response to the sanctions by October 10, 2025.
  - c. The motion for sanctions will be taken up on written submission on October 17, 2025.
4. This order only addresses the motion to recuse Associate Judge Kaitcer and the issues raised by the tertiary recusal motion.

Signed this the 24th day of September 2025.

A handwritten signature in black ink, appearing to read "D. L. Evans", written over a horizontal line.

DAVID L. EVANS, PRESIDING JUDGE

EIGHTH ADMINISTRATIVE JUDICIAL REGION OF TEXAS

### **Automated Certificate of eService**

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Status as of 9/26/2025 4:22 PM CST

#### **Case Contacts**

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
CHARLES MYERS		chuckdustin12@gmail.com	9/26/2025 2:44:52 PM	SENT
Cooper L.Carter		coopercarter@majadmin.com	9/26/2025 2:44:52 PM	SENT
HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	9/26/2025 2:44:52 PM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	9/26/2025 2:44:52 PM	SENT

# **EXHIBIT 2**

CAUSE NO. 322-744263-23

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

322<sup>ND</sup> JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

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**ORDER SUMMARILY DENYING MOTION TO RECUSE  
AND  
ORDER DIRECTING THE CASE TO PROCEED TO TRIAL PURSUANT TO  
TEX. CIV. PRAC. & REM. CODE § 30.016  
AND  
ORDER RE MANDATORY SANCTIONS FOR THE FILING OF  
TERTIARY RECUSAL MOTION**

---

Before me is a pleading entitled *Motion to Recuse Judge Munford* filed by Charles Dustin Myers. This motion was referred to me after Judge James Munford declined to recuse himself by order dated September 9, 2025.

Mr. Myers has filed three or more motions to recuse and/or disqualify judges in this case. When a party files his third motion to recuse in a case, the judge(s) must *move the case to final disposition as though a tertiary recusal motion had not been filed*. Tex. Civ. Prac. & Rem. Code § 30.016 (b) (3); Gonzalez v. Guilbot, 315 S.W.3d 533 (Tex. 2010). That is, once a tertiary motion to recuse is filed, the judges assigned to the case are required to proceed and cannot delay the case because of the filing of a motion to recuse.

Further, sanctions are mandatory if a tertiary recusal motion is denied. Tex. Civ. Prac. & Rem. Code § 30.016 (c), which provides as follows:

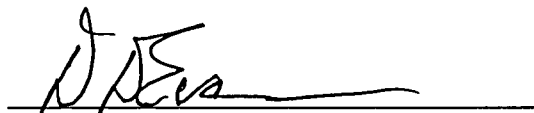
*A judge hearing a tertiary recusal motion against another judge who denies the motion shall award reasonable and necessary attorney's fees and costs to the party opposing the motion. The party making the motion and the attorney for the party are jointly and severally liable for the award of fees and costs. The fees and costs must be paid before the 31st day after the date the order denying the tertiary recusal motion is rendered, unless the order is properly superseded.*

I have reviewed the motion as to Judge Munford and the motion fails to meet the requirements of Texas Rules of Civil Procedure 18a(a) because it does not state with detail and particularity admissible facts that would justify recusal or disqualification if proven. Tex. R. Civ. P. 18a(a)(4).

IT IS THEREFORE ORDERED THAT:

1. The motion to recuse is denied as to Judge Munford without hearing Tex. R. Civ. P 18a(g)(3)(A), (i).
2. All judges in this case will comply with Tex. Civ. Prac. & Rem. Code § 30.016 (b) (3) requiring judges to *move the case to final disposition as though a tertiary recusal motion had not been filed*.
3. The issue of the mandatory sanctions required by Tex. Civ. Prac. & Rem. Code § 30.016 (c) will be handled as follows:
  - a. The parties entitled to sanctions will file on or before October 3, 2025, a motion for sanctions with exhibits showing reasonable and necessary attorney's fees and cost attached to the motion.
  - b. Mr. Myers will file his response to the sanctions by October 10, 2025.
  - c. The motion for sanctions will be taken up on written submission on October 17, 2025.
4. This order only addresses the motion to recuse Judge Munford and the issues raised by the tertiary recusal motion.

Signed this the 24~~th~~ day of September, 2025.



DAVID L. EVANS, PRESIDING JUDGE

EIGHTH ADMINISTRATIVE JUDICIAL REGION OF TEXAS

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HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	9/26/2025 2:44:52 PM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	9/26/2025 2:44:52 PM	SENT



# **EXHIBIT 3**

322-744263-23

IN THE 322<sup>ND</sup> DISTRICT COURT  
OF TARRANT COUNTY, TEXAS

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Morgan Michelle Myers,

Petitioner,

v.

Charles Dustin Myers,

Respondent.

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And In the interest of M.E.M. and  
C.R.M., two children.

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§**MOTION TO RECUSE****TO THE HONORABLE JUDGE OF THIS COURT:**

COMES NOW, Respondent, CHARLES DUSTIN MYERS, who respectfully submits this Motion to Recuse, and in support thereof, shows the Court the following:

**I. INTRODUCTION**

1. There exists no excuse, nor any law or reasoning that could justify the events that have transpired throughout this case. Respondent notes that this is the third recusal motion filed in this matter, making it a tertiary recusal pursuant to Tex. Gov't. Code § 25.00256. The term includes any third or subsequent motion filed in the case by the same party, regardless of whether that motion is filed against a different judge than the judge or judges against whom the previous motions for recusal or disqualification were filed.

2. In practice, and pursuant to the statute, this gives Honorable James Munford the ability to move the case to final disposition as though a tertiary recusal motion had not been filed. However, I urge this court to pay close attention for the forthcoming reasons:

**\*All docket references herein are marked with DKT followed by the corresponding number.**

3. Respondent, on day one, was divested of his property, his children, and his normal place of business. DKT 19.

4. The Petitioner, Morgan Michelle Myers, was allowed to approach this Court, submit facially fraudulent pleadings, and walk away with full custody and sole use of the residency before anything was ever adjudicated. She was permitted to falsify her indigency, claim abuse, and fabricate an emergency when the record before this court has held the truth, and remains unopposed. DKT 1, 3, 5 & 27.

5. The Respondent has provided this Court, the Second Court of Appeals, the Texas Supreme Court, the State Commission on Judicial Conduct, the State Bar of Texas, and the Office of the Attorney General with every possible opportunity to correct this situation, and each body has refused to do so. He has not received one argument, not one explanation, and not one justification for what has transpired. DKT passim.

6. Now, while the reviewer may pause here and claim this motion is meritless, the reality of this situation is that after careful review of the record, the fact pattern of this case, and after receiving not a single response in any of the six appellate cases from any implicated judge on appeal, and with zero sum participation from the other side of the table, the record facially establishes that Honorable James Munford, Honorable Jeff Kaitcer, Court Coordinator Lindsey Baker, opposing attorney Cooper L. Carter, and Petitioner Morgan Michelle Myers, collectively, have exhibited conduct of an enterprise through a pattern of racketeering activity.

7. Accordingly, absent any swift corrective action, Honorable James Munford must recuse himself from this matter, which is supported by the forthcoming facts found in the record:

## II. RECUSAL STANDARDS AND PROCEDURE

8. Texas appellate courts have consistently held that recusal is mandatory—not discretionary—when a judge’s impartiality might reasonably be questioned (*Ex parte Thuesen*, 546 S.W.3d 145 (Tex. Crim. App. 2017)). The test is whether a reasonable member of the public, knowing all the facts, would have a reasonable doubt about the judge’s impartiality (*Rodriguez v. Newton*, NUMBER 13-19-00309-CV (Tex. App. Jul 16, 2020); *In re Moore*, NUMBER 13-19-00551-CV (Tex. App. Oct 30, 2019); *Johnson-Todd v. Morgan*, NO. 09-17-00168-CV, NO. 09-17-00194-CV (Tex. App. Dec 20, 2018); *Kniatt v. State*, 239 S.W.3d 910 (Tex. App. 2007); *Sears v. Nueces County Sherriff Olivarez*, 28 S.W.3d 611 (Tex. App. 2000)). This standard is applied regardless of whether actual bias exists; the appearance of bias is sufficient.

9. When a recusal motion is filed, the judge must either recuse themselves or refer the motion to another judge for decision; the challenged judge cannot unilaterally determine the sufficiency of the allegations (*De Leon v. Aguilar*, 127 S.W.3d 1 (Tex. Crim. App. 2004)).

10. A federal lawsuit against a judge, particularly one alleging conspiracy with a party in a RICO action, creates an immediate and substantial conflict of interest that requires the judge’s prompt recusal from presiding over this matter, because the judge’s impartiality would reasonably be questioned under both constitutional and statutory standards. The integrity of the judicial process and the appearance of fairness demand recusal in such circumstances to preserve public confidence and due process, which has already been tainted by these proceedings.

11. The Texas Constitution provides a foundational rule: no judge may preside over a case in which they have an interest, or where there is a connection to the parties by affinity, consanguinity, or prior involvement as counsel (Tex. Const. art. 5 § 11). This constitutional mandate is echoed and elaborated in the Texas Government Code, which requires a judge to

recuse themselves and request assignment of another judge if they are disqualified or should otherwise recuse (Tex. Gov't. Code § 24.002). The Texas Government Code also provides mechanisms for parties to object to a judge's assignment in civil cases, including divorce, and mandates recusal upon timely objection (Tex. Gov't. Code § 74.053).

12. Administrative regulations reinforce these requirements, specifying that a judge is subject to recusal or disqualification on the same grounds as set out in Texas Rule of Civil Procedure 18b, and that motions to recuse must be made promptly and supported by admissible facts (1 Tex. Admin. Code § 155.152).

13. The law is clear that the appearance of impropriety is as damaging as actual impropriety. The Code of Judicial Conduct and the Texas Supreme Court have emphasized that judges must avoid situations where their impartiality might reasonably be questioned, as public confidence in the judiciary depends on the perception of fairness and neutrality (*State v. Volkswagen Aktiengesellschaft*, 692 S.W.3d 467 (Tex. 2022); *In re Moore*, NUMBER 13-19-00551-CV (Tex. App. Oct 30, 2019)).

15. Allegations of conspiracy under RICO are not mere accusations of bias or error; they are claims of criminal conduct and collusion with a party. This elevates the conflict of interest to an extraordinary level, making it virtually impossible for the judge to preside without undermining the legitimacy of the proceedings. The public, and the parties, would have every reason to doubt the judge's impartiality, and the law requires recusal in such circumstances (*Rodriguez v. Cantu (In re Rodriguez)*, NUMBER 13-19-00230-CV, NUMBER 13-19-00254-CV (Tex. App. Jun 25, 2019); *Johnson-Todd v. Morgan*, NO. 09-17-00168-CV, NO. 09-17-00194-CV (Tex. App. Dec 20, 2018)).

16. Absent corrective action, immediate recusal is warranted, supported by the following:

### **III. GROUNDS FOR RECUSAL**

#### **A. WIRE FRAUD**

8. On October 7, 2024, Respondent filed a joint motion to recuse District Judge James Munford and Associate Judge Jeffrey Kaitcer through the electronic filing manager, serving all parties with one hyperlinked document containing all exhibits and notarized affidavits (DKT NO. 227). This recusal was filed in good faith after all appellate efforts were denied without explanation. See Cause No. 24-0395.

9. On October 8, 2024, at 4:43 PM, correspondence was received from Court Coordinator Lindsey Baker regarding an order of referral and ruling letter transmitted by District Judge James Munford to Regional Presiding Judge David L. Evans, declining to recuse himself from this matter (DKT NOS. 228-229). This email contained an unoriginal, modified version of the joint motion to recuse submitted to re:Search Texas by the Respondent, and was missing the exhibits and the affidavit.

10. By CC'ing this email to cooperarter@majadmin.com on October 8, 2024, District Judge James Munford, through his court coordinator, relied on interstate wire communications because majadmin.com can be traced to the IP address 74.208.236.18, which IP Geolocation places in Kansas City, at coordinates 39.0997,-94.5786. Combined with the intentional alteration of the pleading to withhold material exhibits/affidavit to influence the recusal outcome, the transmission constitutes wire fraud under 18 U.S.C. § 1343, thereby supplying a RICO predicate act under 18 U.S.C. § 1961(1), committed by both Lindsey Baker and District Judge James Munford. At minimum, these facts plausibly allege the interstate-wire and fraud elements of this claim are supported by admissible evidence, that if true, would warrant his immediate recusal, and no further involvement from the Court Coordinator absent any swift corrective action.

## **B. WIRE FRAUD – COUNT TWO**

11. On October 10, 2024, court coordinator Lindsey Baker transmitted an “Amended Order of Referral” at 11:17 AM and a second judge’s ruling letter. (DKT 232, 233) This transmission relied on the same interstate wires mentioned above.

12. The original motion was once again modified, this time split into three separate files “due to the size of the motion” which was well under the 35mb limit allotted from the efile Texas platform, with hyperlinks removed, affecting its’ readability.

13. When Respondent pointed these issues out, Baker confirmed the pleading had been e-filed and the full document was in the court's possession (DKT NOS. 230-231 see Exhibits) showing that there was no plausible reason to modify them.

## **C. FAILURE TO FOLLOW MANDATORY RECUSAL PROCEDURES**

14. The primary legislative and regulatory authorities governing the handling of recusal motions in Texas are Texas Rule of Civil Procedure 18a and various provisions of the Texas Government Code, including sections 25.00256, 29.055, and 74.059(c)(3).

15. Texas Rule of Civil Procedure 18a sets out the exclusive procedure for recusal or disqualification of judges in civil cases. Upon the filing of a recusal motion, the rule requires the respondent judge, within three business days, to either recuse themselves or refer the motion to the regional presiding judge. The rule further mandates that the judge must take no further action in the case until the motion is resolved, except for good cause stated in writing or on the record.

16. Texas Government Code § 25.00256 (and related provisions such as § 29.055 and § 74.059(c)(3)) reinforce these requirements, specifying that the judge must forward the motion and all related documents in their original form or as certified copies to the presiding judge, and may not take further action in the case until the recusal motion is resolved.

17. Here, modified versions were transmitted, notably missing critical elements such as the notarized affidavit and exhibits showing a long list of misconduct that remains unaddressed to this day. Notwithstanding the federal allegations above, there is a continuous pattern showing that the law is being willfully disregarded by these individuals, and enabled by the Regional Presiding Judge, who has permitted rulings on non-existent motions, and the continued involvement of Baker despite clear ambiguities surrounding the prior two recusal proceedings.

18. Texas Rule of Civil Procedure 18a and Texas Government Code § 29.055 both require the forwarding of the motion and all related documents in their original or certified form. The use of the term “all” and the requirement for original or certified copies preclude any alteration, omission, or selective transmission. This is further reinforced by case law, which consistently holds that the judge’s only permissible actions are recusal or referral, and that any other action—including any manipulation of the motion or its exhibits—is outside the scope of the judge’s authority (*In re Gold*, 04-25-00085-CV (Tex. App. May 07, 2025); *In re Norman*, 191 S.W.3d 858 (Tex. App. 2006); *Carson v. Gomez*, 841 S.W.2d 491 (Tex. App. 1992)).

#### **IV. ETHICS**

19. The ethical consequences of the allegations are significant. The Texas Code of Judicial Conduct requires judges to comply with the law and maintain professional competence. In *In re Inquiry Concerning Honorable Bonnie Rangel* (677 S.W.3d 918, Tex. 2023), the Texas Supreme Court publicly admonished a judge for filing a response to a recusal motion, which is expressly prohibited by Rule 18a. The Court found that this single act demonstrated a lack of competence in the law and a failure to comply with legal requirements, violating Canons 2A and 3B(2).



20. By analogy, in this case, a staff member who serves at the pleasure of the Judge facing recusal was permitted to transmit non-original copies a government document through the use of interstate wires when the law clearly prohibits such behavior.

21. Furthermore, these actions are not isolated but build upon a growing pattern of misconduct in furtherance of a broader scheme initiated by Petitioner Morgan Michelle Myers.

## **V. PURSUIT OF FEDERAL CLAIMS**

22. The actions alleged herein are part of a larger, broader scheme to defraud the Respondent of his business and property, and this Recusal serves as both a notice to any individual reading this brief that the law is not optional. Whether a judge, an attorney, a clerk, or a coordinator – the law is not below you.

23. In this case, several individuals have chosen to disregard the law, put their political interests and bias before the Children and laws of this State, and have inadvertently assisted the Petitioner, Morgan Michelle Myers, in an elaborate scheme to defraud the Respondent of business and property of which affects interstate commerce currently being litigated in the Western District of Oklahoma.

## **VI. CONCLUSION**

24. For these reasons, Judge James Munford should be immediately recused, or in the alternative, correct the mistakes that have remained unaddressed for two years and remain unopposed on the face of the record.

25. The record is clear: this is a one sided case, with a one sided outcome, and despite having every reason to correct the errors in the face of no opposition, this Court has chosen to disregard the law, ethical standards, and has committed several predicate acts in the process which will be outlined in more detail if the subsequent federal action must be brought.

26. Nevertheless, the facts plead herein support recusal, as any member of the public knowing all of the facts of this case would clearly doubt it was conducted in an impartial manner.

## **VI. PRAYER**

WHEREFORE, all premises considered, Respondent prays that the court:

1. Grant this motion to recuse, or in the alternative, provide corrective action to remedy the injustice faced by the Respondent;
2. Prevent any involvement from Court Coordinator Lindsey Baker;
3. Provide any further relief that this Court deems equitable and just based on these extraordinary and unjust circumstances;

Respectfully submitted,

/s/ Charles Dustin Myers

CHARLES DUSTIN MYERS

6641 Anne Court

Watauga, Texas 76148

[CHUCKDUSTIN12@GMAIL.COM](mailto:CHUCKDUSTIN12@GMAIL.COM)

817-546-3693

**AFFIDAVIT OF CHARLES DUSTIN MYERS  
COUNTY OF TARRANT**

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

1. My name is Charles Dustin Myers. I am over the age of eighteen, of sound mind, and competent to make this affidavit. The facts stated herein are within my personal knowledge and are true and correct.
2. On October 7, 2024, I filed a joint motion to recuse District Judge James Munford and Associate Judge Jeffrey Kaitcer through the electronic filing manager, serving all parties with a single document containing all exhibits and a notarized affidavit.
3. On October 8, 2024, I received correspondence from Court Coordinator Lindsey Baker regarding an order of referral and ruling letter transmitted by Judge Munford to Regional Presiding Judge David L. Evans. The email contained a modified version of my joint motion to recuse, which was missing the exhibits and affidavit that I had originally submitted.
4. On October 10, 2024, Ms. Baker transmitted an “Amended Order of Referral” and a second judge’s ruling letter. The original motion was again modified, split into three separate files, and hyperlinks were removed, affecting its readability. The size of the original document was well under the 35MB limit for e-filing.
5. When I raised these issues with Ms. Baker, she confirmed that the full document was in the court’s possession, and there was no plausible reason for the modifications.
6. I believe that these actions, including the alteration and selective transmission of my filings, have affected the integrity of the recusal process and raise reasonable questions about the impartiality of Judge Munford in this case and are based on my personal knowledge and believe, and is supported by admissible evidence on the face of the record.
7. Based on personal knowledge and belief, these actions are part of a larger criminal enterprise including Associate Judge Jeffrey Kaitcer, Court Coordinator Lindsey Baker, Cooper Carter, and Morgan Michelle Myers which will be pursued in Federal Court.

Further affiant sayeth not.

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS  
6641 Anne Court  
Watauga, Texas 76148  
[CHUCKDUSTIN12@GMAIL.COM](mailto:CHUCKDUSTIN12@GMAIL.COM)  
817-546-3693  
PRO-SE

### CERTIFICATE OF SERVICE

Pursuant to Rule 21a of the Texas Rules of Civil Procedure, a true and accurate copy of this MOTION TO RECUSE has been served on all parties of record through the Supreme Court of Texas approved EFM (re:Search Texas) on this 5<sup>th</sup> day of September, 2025.

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS  
6641 Anne Court  
Watauga, Texas 76148  
[CHUCKDUSTIN12@GMAIL.COM](mailto:CHUCKDUSTIN12@GMAIL.COM)  
817-546-3693  
PRO-SE

State of Florida

County of Palm Beach

Sworn to (or affirmed) and subscribed before me by means of online notarization, this 09/05/2025 by Charles Dustin Myers.

Online Notary

\_\_\_ Personally Known OR \_\_\_ ☒ Produced Identification

Type of Identification Produced \_\_\_\_\_ DRIVER LICENSE

Notarized remotely online using communication technology via Proof.

*Denn Plummer*



### **Automated Certificate of eService**

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

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Filing Code Description: Motion (No Fee)

Filing Description: Motion to Recuse

Status as of 9/5/2025 2:17 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	9/5/2025 11:25:40 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	9/5/2025 11:25:40 AM	SENT
HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	9/5/2025 11:25:40 AM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	9/5/2025 11:25:40 AM	SENT

# **EXHIBIT 4**

**NO. 322-744263-23**

**IN THE MATTER OF  
THE MARRIAGE OF**

**MORGAN MYERS  
AND  
CHARLES MYERS**

**AND IN THE INTEREST OF**

**M [REDACTED] MYERS AND C [REDACTED]  
M [REDACTED], CHILDREN**

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**IN THE DISTRICT COURT**

**322ND JUDICIAL DISTRICT**

**TARRANT COUNTY, TEXAS**

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**MOTION FOR SANCTIONS AND REQUEST FOR ATTORNEY'S FEES**

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Comes now, Morgan Myers, and asks the Court to impose appropriate sanctions against Charles Myers for filing multiple groundless filings.

Charles Myers has violated Rule 13, Section 9.011, and Section 10.001 by filing multiple frivolous pleadings that have no basis in fact or law for the purpose of harassing. Charles Myer's actions should be sanctioned.

Morgan Myers requests a judgment of ten thousand dollars (\$10,000.00) for her attorney's fees incurred as a result in the frivolous filings by Charles Myers, payable directly to her attorney of record, Cooper Carter.

For these reasons, Morgan Myers, asks the Court, to impose the sanctions requested herein. Morgan Myers further requests the fees, expenses, and costs requested herein. Morgan Myers prays for general relief.

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

By: /s/ Cooper L. Carter  
Cooper L. Carter

State Bar No. 24121530  
coopercarter@majadmin.com

**Certificate of Service**

I certify that a true copy of the above was served on each attorney of record or party in accordance with the Texas Rules of Civil Procedure on October 2, 2025.

/s/ Cooper Carter  
Cooper Carter  
Attorney for Morgan Myers



# **EXHIBIT 5**

**CAUSE NUMBER: 322-744263-23****IN THE MATTER OF  
THE MARRIAGE OF****MORGAN MICHELLE MYERS  
AND  
CHARLES DUSTIN MYERS****AND IN THE INTEREST OF  
M [REDACTED] M [REDACTED] AND  
[REDACTED] M [REDACTED]  
MINOR CHILDREN****IN THE DISTRICT COURT****TARRANT COUNTY, TEXAS****322<sup>ND</sup> JUDICIAL DISTRICT****ORDER OF REFERRAL**

On September 5, 2025, a Motion to Recuse was filed by Charles Dustin Myers in the above styled and numbered cause. A copy of the Motion is attached to this Order. The Presiding Judge against whom the Motion was filed declines to recuse himself and hereby refers this matter to the Presiding Judge of the Eight Administrative Judicial District, Honorable David L. Evans, to decide the Motion

SIGNED this

*9<sup>th</sup>*

day of

*September*

, 2025.

  
JUDGE PRESIDING

322-744263-23  
IN THE 322<sup>ND</sup> DISTRICT COURT  
OF TARRANT COUNTY, TEXAS

Morgan Michelle Myers,

Petitioner,

v.

Charles Dustin Myers,

Respondent.

And In the interest of M.E.M. and  
C.R.M., two children.

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**MOTION TO RECUSE**

**TO THE HONORABLE JUDGE OF THIS COURT:**

COMES NOW, Respondent, CHARLES DUSTIN MYERS, who respectfully submits  
this Motion to Recuse, and in support thereof, shows the Court the following:

**I. INTRODUCTION**

1. There exists no excuse, nor any law or reasoning that could justify the events that have transpired throughout this case. Respondent notes that this is the third recusal motion filed in this matter, making it a tertiary recusal pursuant to Tex. Gov't. Code § 25.00256. The term includes any third or subsequent motion filed in the case by the same party, regardless of whether that motion is filed against a different judge than the judge or judges against whom the previous motions for recusal or disqualification were filed.

2. In practice, and pursuant to the statute, this gives Honorable James Munford the ability to move the case to final disposition as though a tertiary recusal motion had not been filed. However, I urge this court to pay close attention for the forthcoming reasons:

**\*All docket references herein are marked with DKT followed by the corresponding number.**

3. Respondent, on day one, was divested of his property, his children, and his normal place of business. DKT 19.

4. The Petitioner, Morgan Michelle Myers, was allowed to approach this Court, submit facially fraudulent pleadings, and walk away with full custody and sole use of the residency before anything was ever adjudicated. She was permitted to falsify her indigency, claim abuse, and fabricate an emergency when the record before this court has held the truth, and remains unopposed. DKT 1, 3, 5 & 27.

5. The Respondent has provided this Court, the Second Court of Appeals, the Texas Supreme Court, the State Commission on Judicial Conduct, the State Bar of Texas, and the Office of the Attorney General with every possible opportunity to correct this situation, and each body has refused to do so. He has not received one argument, not one explanation, and not one justification for what has transpired. DKT passim.

6. Now, while the reviewer may pause here and claim this motion is meritless, the reality of this situation is that after careful review of the record, the fact pattern of this case, and after receiving not a single response in any of the six appellate cases from any implicated judge on appeal, and with zero sum participation from the other side of the table, the record facially establishes that Honorable James Munford, Honorable Jeff Kaitcer, Court Coordinator Lindsey Baker, opposing attorney Cooper L. Carter, and Petitioner Morgan Michelle Myers, collectively, have exhibited conduct of an enterprise through a pattern of racketeering activity.

7. Accordingly, absent any swift corrective action, Honorable James Munford must recuse himself from this matter, which is supported by the forthcoming facts found in the record:

## II. RECUSAL STANDARDS AND PROCEDURE

8. Texas appellate courts have consistently held that recusal is mandatory—not discretionary—when a judge’s impartiality might reasonably be questioned (*Ex parte Thuesen*, 546 S.W.3d 145 (Tex. Crim. App. 2017)). The test is whether a reasonable member of the public, knowing all the facts, would have a reasonable doubt about the judge’s impartiality (*Rodriguez v. Newton*, NUMBER 13-19-00309-CV (Tex. App. Jul 16, 2020); *In re Moore*, NUMBER 13-19-00551-CV (Tex. App. Oct 30, 2019); *Johnson-Todd v. Morgan*, NO. 09-17-00168-CV, NO. 09-17-00194-CV (Tex. App. Dec 20, 2018); *Kniatt v. State*, 239 S.W.3d 910 (Tex. App. 2007); *Sears v. Nueces County Sherriff Olivarez*, 28 S.W.3d 611 (Tex. App. 2000)). This standard is applied regardless of whether actual bias exists; the appearance of bias is sufficient.

9. When a recusal motion is filed, the judge must either recuse themselves or refer the motion to another judge for decision; the challenged judge cannot unilaterally determine the sufficiency of the allegations (*De Leon v. Aguilar*, 127 S.W.3d 1 (Tex. Crim. App. 2004)).

10. A federal lawsuit against a judge, particularly one alleging conspiracy with a party in a RICO action, creates an immediate and substantial conflict of interest that requires the judge’s prompt recusal from presiding over this matter, because the judge’s impartiality would reasonably be questioned under both constitutional and statutory standards. The integrity of the judicial process and the appearance of fairness demand recusal in such circumstances to preserve public confidence and due process, which has already been tainted by these proceedings.

11. The Texas Constitution provides a foundational rule: no judge may preside over a case in which they have an interest, or where there is a connection to the parties by affinity, consanguinity, or prior involvement as counsel (Tex. Const. art. 5 § 11). This constitutional mandate is echoed and elaborated in the Texas Government Code, which requires a judge to

recuse themselves and request assignment of another judge if they are disqualified or should otherwise recuse (Tex. Gov't. Code § 24.002). The Texas Government Code also provides mechanisms for parties to object to a judge's assignment in civil cases, including divorce, and mandates recusal upon timely objection (Tex. Gov't. Code § 74.053).

12. Administrative regulations reinforce these requirements, specifying that a judge is subject to recusal or disqualification on the same grounds as set out in Texas Rule of Civil Procedure 18b, and that motions to recuse must be made promptly and supported by admissible facts (1 Tex. Admin. Code § 155.152).

13. The law is clear that the appearance of impropriety is as damaging as actual impropriety. The Code of Judicial Conduct and the Texas Supreme Court have emphasized that judges must avoid situations where their impartiality might reasonably be questioned, as public confidence in the judiciary depends on the perception of fairness and neutrality (*State v. Volkswagen Aktiengesellschaft*, 692 S.W.3d 467 (Tex. 2022); *In re Moore*, NUMBER 13-19-00551-CV (Tex. App. Oct 30, 2019)).

15. Allegations of conspiracy under RICO are not mere accusations of bias or error; they are claims of criminal conduct and collusion with a party. This elevates the conflict of interest to an extraordinary level, making it virtually impossible for the judge to preside without undermining the legitimacy of the proceedings. The public, and the parties, would have every reason to doubt the judge's impartiality, and the law requires recusal in such circumstances (*Rodriguez v. Cantu (In re Rodriguez)*, NUMBER 13-19-00230-CV, NUMBER 13-19-00254-CV (Tex. App. Jun 25, 2019); *Johnson-Todd v. Morgan*, NO. 09-17-00168-CV, NO. 09-17-00194-CV (Tex. App. Dec 20, 2018)).

16. Absent corrective action, immediate recusal is warranted, supported by the following:

### **III. GROUNDS FOR RECUSAL**

#### **A. WIRE FRAUD**

8. On October 7, 2024, Respondent filed a joint motion to recuse District Judge James Munford and Associate Judge Jeffrey Kaitcer through the electronic filing manager, serving all parties with one hyperlinked document containing all exhibits and notarized affidavits (DKT NO. 227). This recusal was filed in good faith after all appellate efforts were denied without explanation. See Cause No. 24-0395.

9. On October 8, 2024, at 4:43 PM, correspondence was received from Court Coordinator Lindsey Baker regarding an order of referral and ruling letter transmitted by District Judge James Munford to Regional Presiding Judge David L. Evans, declining to recuse himself from this matter (DKT NOS. 228-229). This email contained an unoriginal, modified version of the joint motion to recuse submitted to re:Search Texas by the Respondent, and was missing the exhibits and the affidavit.

10. By CC'ing this email to cooperarter@majadmin.com on October 8, 2024, District Judge James Munford, through his court coordinator, relied on interstate wire communications because majadmin.com can be traced to the IP address 74.208.236.18, which IP Geolocation places in Kansas City, at coordinates 39.0997,-94.5786. Combined with the intentional alteration of the pleading to withhold material exhibits/affidavit to influence the recusal outcome, the transmission constitutes wire fraud under 18 U.S.C. § 1343, thereby supplying a RICO predicate act under 18 U.S.C. § 1961(1), committed by both Lindsey Baker and District Judge James Munford. At minimum, these facts plausibly allege the interstate-wire and fraud elements of this claim are supported by admissible evidence, that if true, would warrant his immediate recusal, and no further involvement from the Court Coordinator absent any swift corrective action.

## **B. WIRE FRAUD – COUNT TWO**

11. On October 10, 2024, court coordinator Lindsey Baker transmitted an “Amended Order of Referral” at 11:17 AM and a second judge’s ruling letter. (DKT 232, 233) This transmission relied on the same interstate wires mentioned above.

12. The original motion was once again modified, this time split into three separate files “due to the size of the motion” which was well under the 35mb limit allotted from the efile Texas platform, with hyperlinks removed, affecting its’ readability.

13. When Respondent pointed these issues out, Baker confirmed the pleading had been e-filed and the full document was in the court’s possession (DKT NOS. 230-231 see Exhibits) showing that there was no plausible reason to modify them.

## **C. FAILURE TO FOLLOW MANDATORY RECUSAL PROCEDURES**

14. The primary legislative and regulatory authorities governing the handling of recusal motions in Texas are Texas Rule of Civil Procedure 18a and various provisions of the Texas Government Code, including sections 25.00256, 29.055, and 74.059(c)(3).

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20. By analogy, in this case, a staff member who serves at the pleasure of the Judge facing recusal was permitted to transmit non-original copies a government document through the use of interstate wires when the law clearly prohibits such behavior.

21. Furthermore, these actions are not isolated but build upon a growing pattern of misconduct in furtherance of a broader scheme initiated by Petitioner Morgan Michelle Myers.

#### **V. PURSUIT OF FEDERAL CLAIMS**

22. The actions alleged herein are part of a larger, broader scheme to defraud the Respondent of his business and property, and this Recusal serves as both a notice to any individual reading this brief that the law is not optional. Whether a judge, an attorney, a clerk, or a coordinator – the law is not below you.

23. In this case, several individuals have chosen to disregard the law, put their political interests and bias before the Children and laws of this State, and have inadvertently assisted the Petitioner, Morgan Michelle Myers, in an elaborate scheme to defraud the Respondent of business and property of which affects interstate commerce currently being litigated in the Western District of Oklahoma.

#### **VI. CONCLUSION**

24. For these reasons, Judge James Munford should be immediately recused, or in the alternative, correct the mistakes that have remained unaddressed for two years and remain unopposed on the face of the record.

25. The record is clear: this is a one sided case, with a one sided outcome, and despite having every reason to correct the errors in the face of no opposition, this Court has chosen to disregard the law, ethical standards, and has committed several predicate acts in the process which will be outlined in more detail if the subsequent federal action must be brought.

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WHEREFORE, all premises considered, Respondent prays that the court:

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2. Prevent any involvement from Court Coordinator Lindsey Baker;
3. Provide any further relief that this Court deems equitable and just based on these extraordinary and unjust circumstances;

Respectfully submitted,

/s/ Charles Dustin Myers

CHARLES DUSTIN MYERS

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817-546-3693

**AFFIDAVIT OF CHARLES DUSTIN MYERS  
COUNTY OF TARRANT**

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

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Further affiant sayeth not.

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS  
6641 Anne Court  
Watauga, Texas 76148  
CHUCKDUSTIN12@GMAIL.COM  
817-546-3693  
PRO-SE

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Pursuant to Rule 21a of the Texas Rules of Civil Procedure, a true and accurate copy of  
this MOTION TO RECUSE has been served on all parties of record through the  
Supreme Court of Texas approved EFM (re:Search Texas) on this 5<sup>th</sup> day of September, 2025.

/s/ Charles Dustin Myers  
CHARLES DUSTIN MYERS  
6641 Anne Court  
Watauga, Texas 76148  
CHUCKDUSTIN12@GMAIL.COM  
817-546-3693  
PRO-SE

State of Florida

County of Palm Beach

Sworn to (or affirmed) and subscribed before me by means of online notarization,  
this 09/05/2025 by Charles Dustin Myers.

Online Notary

\_\_\_ Personally Known OR \_\_\_ ☒ Produced Identification

Type of Identification Produced \_\_\_\_\_ DRIVER LICENSE

Notarized remotely online using communication technology via Proof.



DENNISHA PLUMMER  
Notary Public - State of Florida  
Commission # HH527234  
Expires on May 14, 2028

*Denn Plummer*

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#### **Case Contacts**

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
CHARLES MYERS		chuckdustin12@gmail.com	9/5/2025 11:25:40 AM	SENT
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Filing Description:

Status as of 9/12/2025 10:08 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	9/11/2025 11:26:40 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	9/11/2025 11:26:40 AM	SENT
HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	9/11/2025 11:26:40 AM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	9/11/2025 11:26:40 AM	SENT

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Envelope ID: 106533773

Filing Code Description: Motion (No Fee)

Filing Description: JOINT MOTION TO VACATE ???ORDER  
SUMMARILY DENYING MOTION TO RECUSE???1 AND TO VACATE  
???ORDER DIRECTING THE CASE TO PROCEED TO TRIAL  
PURSUANT TO TEX. CIV. PRAC. & REM. CODE 30.016??? AND TO  
VACATE ???ORDER RE MANDATORY SANCTIONS FOR THE FILING  
OF TERTIARY RECUSAL MOTION??? AND TO STRIKE  
PETITIONER???S ???MOTION FOR SANCTIONS AND REQUEST FOR  
ATTORNEY???S FEES???

Status as of 10/8/2025 11:37 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
CHARLES MYERS		chuckdustin12@gmail.com	10/7/2025 10:51:02 AM	SENT
Cooper L.Carter		coopercarter@majadmin.com	10/7/2025 10:51:02 AM	SENT
HOLLY HAYES		csd-legal-914@texasattorneygeneral.gov	10/7/2025 10:51:02 AM	SENT
MORGAN MICHELLEMYERS		MORGANMW02@GMAIL.COM	10/7/2025 10:51:02 AM	SENT