

**DF-24-18010**

NO. \_\_\_\_\_

IN THE MATTER OF  
THE MARRIAGE OF

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IN THE DISTRICT COURT

**GWENDOLYN ULIJASZ-MCKEMIE**

&

**JASON MCKEMIE**

**301<sup>st</sup>** JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

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**RESPONDENT’S VERIFIED MOTION TO RECUSE AND REQUEST FOR  
REFERRAL UNDER TEXAS RULE OF CIVIL PROCEDURE 18a**

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**TO THE HONORABLE COURT:**

Respondent, **Jason McKemie**, files this Verified Motion to Recuse before any evidence has been offered at the June 11, 2026, trial setting, before any witness has been called, before any exhibit has been offered, before any testimony has been taken, and before any trial evidence has been received. This filing is made to invoke the recusal procedure before trial evidence begins and to prevent any false record that Respondent waited until trial was underway.

Respondent has repeatedly tried to give the Court the opportunity to cure structural defects before seeking recusal. That procedural structure is no longer workable. Trial is set today, the stolen evidence remains unavailable, healthcare remains unresolved, source records remain concealed, Respondent is medically and financially collapsed, and once trial evidence begins Respondent’s recusal rights and due-process objections may be materially impaired.

This Motion is not conditional. It is filed now because Respondent cannot safely wait until the Court begins trial mechanics. At prior trial settings, proceedings moved immediately toward witness calls and evidence. Respondent files before evidence is offered to preserve Rule 18a rights and prevent a false record that Respondent acquiesced in trial readiness.

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**TERTIARY RECUSAL RISK IS ACKNOWLEDGED UP FRONT**

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Respondent is fully aware that Petitioner and counsel will argue this is a third recusal and will attempt to characterize this Motion as delay. Respondent is also fully aware that Texas Civil Practice and Remedies Code Section 30.016 addresses tertiary recusal motions, permits a judge to continue presiding if recusal is declined, and creates fee/cost exposure if a tertiary recusal motion is denied. Respondent is not filing this Motion casually, tactically, or for delay.

Respondent has consistently sought to end this divorce through a fair, lawful, record-based process. Respondent has not delayed this case. Respondent has repeatedly requested the minimum structural conditions necessary for trial: source financial records, healthcare compliance, HSA/FSA access, court reporter protection, subpoena authority, de novo/trial-readiness review, adequate trial time, and preservation of evidence.

Petitioner and her counsel may seek fees and claim delay. That request should be denied in full. The delay in this case has been caused by Petitioner’s financial concealment, healthcare obstruction,

evidence theft, hard-drive theft, trial-material theft, false reporting, source-record concealment, and refusal to restore the conditions necessary for trial. Respondent is the party fighting to survive and obtain a fair trial; he is not the source of the obstruction.

Respondent files this Motion despite the known risk because the new evidence and current posture do not merely warrant recusal - they demand it. There is no possibility of fair trial when the opposing party violated mutual injunctions, unlawfully entered the residence, stole the hard drives, stole the evidence repositories, stole legal work product, stole trial materials, stole binders, stole paper, stole the printer, stole printer ink, stole medications, destroyed livelihood equipment, and is recorded saying she has to "get more evidence."

## **RELIEF REQUESTED**

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1. Recusal from further proceedings in this case, or immediate referral of this Motion to the Regional Presiding Judge or assigned judge for decision.
2. An order that no witness be called, no exhibit be offered, no testimony be taken, and no trial evidence be received until this Motion is decided or referred.
3. If the Court contends it may proceed despite this Motion, a clear statement of the legal basis and good cause on the record before any evidence is offered.
4. Preservation of Respondent's objections, including recusal, mandamus, de novo, due process, stolen-evidence, healthcare, discovery, source-record, financial-relief, trial-readiness, and appellate complaints.
5. Interim ancillary protection prohibiting Gwendolyn Laura Ulijasz, her counsel, experts, vendors, investigators, agents, contractors, and anyone acting with or for her from having any access to, contact with, use of, control over, disclosure of, alteration of, deletion of, reliance upon, or benefit from Respondent's stolen hard drives, evidence repositories, legal work product, binders, paper files, financial records, medical records, trial materials, printer, printer ink, litigation equipment, medications, or device evidence.
6. Denial in full of any request by Petitioner or her counsel for attorney's fees, costs, sanctions, expenses, protective expenses, vendor costs, or any other fee shifting against Respondent.

## **THIS MOTION IS NOT BASED MERELY ON ADVERSE RULINGS**

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This Motion is not based merely on adverse rulings. It is based on the current record, the appearance of prejudgment, and new material developments since the prior recusal proceedings, including evidence theft, stolen hard drives, stolen trial materials, stolen legal work product, stolen binders, stolen printer and printer ink, stolen medications, continued source-record concealment, unresolved healthcare/QLE noncompliance, unresolved de novo/trial-readiness issues, and Respondent's present physical impossibility of meaningful trial participation.

A reasonable person could question impartiality where the case is forced to final trial despite known structural impossibility, stolen evidence repositories, stolen hard drives, stolen trial materials, unavailable source financial records, unresolved healthcare/QLE records, unresolved de novo/trial-readiness issues, rejected or unresolved adequate-trial-time requests, and Respondent's present inability to safely appear or present evidence.

## **NEW MATERIAL FACTS SINCE THE PRIOR RECUSAL PROCEEDINGS**

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Since the prior recusal proceedings, Petitioner unlawfully entered the residence in violation of mutual injunctions and stole Respondent's hard drives, evidence repositories, legal work product, binders, paper files, printer, printer ink, trial materials, financial records, medical records, medications, device evidence, litigation equipment, livelihood hardware, and materials necessary to try this case.

This was theft. Petitioner unlawfully entered a residence she was barred from entering, stole evidence, stole trial materials, stole legal work product, stole hard drives, stole medications, and destroyed Respondent's trial readiness in active litigation.

The stolen hard drives contained approximately 17 months of litigation work, evidence, videos, audio, financial analysis, source records, healthcare records, medical records, trial preparation, impeachment evidence, communications, and court materials.

Respondent has video from Petitioner's own camera in which she states she needs to "get more evidence." Respondent's position is that this statement directly supports that Petitioner entered to obtain, steal, control, destroy, manipulate, or manufacture evidence for use in these proceedings and related proceedings.

Respondent repeatedly warned that Petitioner could not be permitted to enter the residence because she would steal evidence, destroy property, manufacture allegations, and involve law enforcement. Those warnings proved accurate.

After the writ/eviction activity was challenged because Respondent had not been properly served, the judge personally called the constable and directed that the activity stop. The constable entered the residence and told Petitioner to stop what she was doing and remove everything from her vehicle. Petitioner then fled the scene against the officer's orders.

Petitioner stole Respondent's Apple TV/device evidence and then used or attempted to use that stolen device to manufacture a false stalking/surveillance narrative with San Antonio Police Department. A device stolen from Respondent was turned into a false accusation against Respondent.

Respondent's police reports and report numbers regarding the Dallas theft were also stolen from his desk. Respondent has requested open records but has not had time to receive them before today's trial.

## **FINANCIAL STRANGULATION, HEALTHCARE OBSTRUCTION, AND SURVIVAL COLLAPSE**

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Petitioner siphoned approximately \$650,000 from marital accounts, declared destitution, and left Respondent carrying approximately \$25,000 per month in marital-estate obligations while Petitioner earned approximately \$125,000 per month and Respondent had no income, no counsel, no access to survival funds, and was recovering from spinal surgery. Petitioner then committed perjury through false sworn statements suggesting financial helplessness, while concealing substantial resources and spending heavily on counsel, vendors, investigators, and third-party litigation support. Petitioner also brought her sister from out of state to commit coordinated aggravated perjury regarding abuse, stalking, and surveillance allegations directly contradicted by sworn declarations, text messages, security-camera footage, and records subpoenaed by law enforcement. The result was not a financial dispute; it was a coordinated financial ambush that shifted the marital-estate burden onto Respondent while Petitioner concealed assets, manufactured false narratives, and used the court process to disable Respondent's ability to survive and defend himself. Respondent is now homeless, in bankruptcy, living out of a vehicle, without phone service, without money for gas, food, medication, parking, printing, evidence, or trial preparation. Respondent's parents are also in bankruptcy. This collapse was engineered through financial strangulation, retainer fraud reporting, medical rehabilitation fraud reporting, healthcare obstruction, eviction manufacturing, source-record concealment, and evidence theft.

Respondent is medically unstable. Respondent has been repeatedly hospitalized with congestive heart failure. Respondent recently spent four days hospitalized with a spinal injury and left against medical advice only to attempt to save survival items from the manufactured eviction. Respondent is now seeking emergency medical care with heart palpitations, dizziness, shortness of breath, pain, and medical instability.

Petitioner has obstructed healthcare since at least December 18, 2024. A signed healthcare order exists from December 17, 2025, but Petitioner has not functionally complied. Respondent contests any representation that healthcare, HSA, FSA, critical illness coverage, life insurance, AD&D, spouse AD&D, medication access, or surgery access has been restored. Source records are required before the Court can credit any representation by Petitioner concerning healthcare compliance.

## **APPEARANCE OF PREJUDGMENT AND ABSENCE OF A FAIR PROCEDURAL PATHWAY**

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Proceeding to final trial under these conditions would convert evidence theft, healthcare obstruction, source-record concealment, financial strangulation, and physical impossibility into a final judgment.

The issue is not whether Respondent dislikes prior rulings. The issue is that the current record creates an appearance that the case will be forced to final adjudication regardless of whether the estate can be reconstructed, whether healthcare compliance has occurred, whether source records exist, whether stolen evidence is returned, and whether Respondent can meaningfully present evidence.

## REQUEST FOR RULING BEFORE EVIDENCE

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Respondent requests that this Motion be addressed before any evidence is offered. Respondent objects to any witness being called, any exhibit being offered, or any trial evidence being taken before this Motion is decided or referred.

If the Court proceeds despite this Motion, Respondent requests a clear ruling on the record and states that he appears, if at all, under objection and without waiving recusal, mandamus, de novo, due-process, healthcare, discovery, stolen-evidence, trial-readiness, financial-relief, court-reporter, or appellate complaints.

Respectfully submitted,

A handwritten signature in black ink that reads "Jason McKemie". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

**Jason McKemie**

539 W. Commerce St., Ste. 2010

Dallas, TX 75208

214-868-4901

[jmckemie@mckemie.net](mailto:jmckemie@mckemie.net)

## UNSWORN DECLARATION OF JASON MCKEMIE

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My name is Jason McKemie. My date of birth is April 8, 1976. My address is 539 W. Commerce St., Ste. 2010, Dallas, Texas 75208.

I declare under penalty of perjury that the factual statements in this Verified Motion to Recuse are true and correct based on my personal knowledge, documents, videos, audio, court filings, records reviewed by me, and matters stated on information and belief where the basis for that belief is identified.

Executed in Texas on June 11, 2026.



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Jason McKemie

## CERTIFICATE OF SERVICE

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I certify that a true and correct copy of this filing was served on all counsel of record by e-service and/or email on June 11, 2026.



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Jason McKemie