

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. DF-24-18010

IN THE MATTER OF	§	IN THE DISTRICT
COURT THE MARRIAGE OF	§	
	§	
GWENDOLYN ULIJASZ-MCKEMIE	§	<u>302nd</u> JUDICIAL DISTRICT
&	§	
JASON MCKEMIE	§	DALLAS COUNTY, TEXAS

EMERGENCY MOTION TO ABATE TRIAL SETTING AND WITHHOLD FINAL ORDERS PENDING RESOLUTION OF OUTSTANDING MOTIONS, PROCEDURAL VIOLATIONS, AND DISCOVERY COLLAPSE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW **Jason McKemie**, Respondent, and files this **Emergency Motion to Abate Trial Setting and Withhold Final Orders**, and in support thereof respectfully shows the Court as follows:

I. INTRODUCTION AND EMERGENCY BASIS

Respondent respectfully requests that this Court halt any trial setting, decree drafting, or division of property until multiple unresolved motions and critical due process violations have been addressed. Proceeding under the current conditions would constitute a structural denial of due process and would reward documented financial obstruction, discovery sabotage, and uncorrected perjury.

Respondent appears pro se through no fault of his own. He has filed over 25 motions — including five emergency filings — and submitted more than 200 pages of supporting evidence. None of the core issues raised have been substantively heard or adjudicated. Respondent is financially incapacitated, medically at risk, and procedurally suppressed. He respectfully asks this Court to stay all trial activity and final orders until the following matters have been reviewed and ruled upon.

II. OUTSTANDING MOTIONS REQUIRING RULING PRIOR TO TRIAL

1. Motion for Spousal Support and Legal Fee Relief – filed to address complete financial severance by Petitioner during Respondent’s spinal surgery recovery.
2. Legal Fee Equalizer - Equal Access to counsel, including matching retainer and discretionary funding for special services (forensic accounting, asset tracing, etc.).
3. Motion for Emergency Medical Access – filed due to Petitioner’s blocking of prescription and healthcare access. (Immediate HSA Funds Access)

4. Motion for Discovery Sanctions and Subpoena Authority – arising from a 15-minute-before-deadline document dump following an attorney disappearance, with no actual discovery engagement.
 5. Motion for Discovery Sanctions and Subpoena Authority – arising from Sullivan Cook actively working as shadow counsel for Petitioner while withdrawn. Petitioner had looped Respondent in on emails with William Cook during their withdrawal, showing that Petitioner’s engagement with them did not cease at that time. Furthermore, upon their return (at 11:24pm on June 23rd, 2025) they had prepared blanket objections to all Discovery questions and had prepared financial documents unilaterally without any correspondence nor challenge from me. They have hidden accounts, redacted account number, masked a large \$90k withdrawal from our Ameriprise account by rolling over CTSB stock into the account
 6. Motion for Sanctions and Disproportionate Division – based on fraudulent financial declarations at the January 7 hearing.
 7. Motion for Protective Orders re: Procedural Abuse and Retaliation – to prevent ongoing obstruction of Respondent’s rights.
 8. Motion for Notice and Judicial Access (Equal Access as Attorney) – never ruled on by Judge Brown. Respondent is unable to file under seal, label motions for priority, or receive proper alerts.
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III. Respondent respectfully asserts that all investment, retirement, deferred compensation, and equity-linked accounts acquired, funded, or contributed to during the marriage — regardless of title or registration — are presumptively community property under Tex. Fam. Code § 3.003. This includes, but is not limited to:

- Accenture-based equity (RSUs, VEIP contributions, and sign-on bonuses),
- Ameriprise accounts (Prize, RISS),
- Rollover IRAs,
- Cognizant 401(k),
- AIG-related financial assets,
- E*TRADE accounts,
- Roth and Traditional IRAs.
- Respondent requests that any such account for which Petitioner has failed to provide full disclosure or clear and convincing tracing be classified as community property and made subject to equitable division.
- Petitioner’s last-minute reclassification of these accounts as separate property — made only at trial and without prior production — constitutes both fraud on the estate and a due process violation, given the deliberate withholding and misrepresentation of material financial facts.

- Let me know if you want a footnote added citing In re Marriage of Long, 542 S.W.3d 902 (Tex. App.—Texarkana 2018) or similar case law for improper post-discovery reclassification of assets. You're on solid ground here.

IV. FRAUDULENT PROPERTY CLASSIFICATION AND CONCEALMENT OF COMMUNITY INVESTMENT ACCOUNTS

INCLUDED FINANCIAL INSTRUMENTS

This section should apply broadly to all investment and equity-linked accounts, including but not limited to:

- Accenture (UBS) RSUs, VEIP, 401k, and bonus-based equity instruments, etc.
- Ameriprise Financial accounts (Prize, RISS, etc.) IRA, Roth
- AIG rollover IRA
- Cognizant 401(k)
- E*TRADE brokerage account
- Roth and Traditional IRAs under Petitioner's name
- MetLife HSA Funds
- Advantigen Shares from October 23, 2023
- Etc.

Respondent respectfully asserts that all investment, retirement, deferred compensation, and equity-linked accounts acquired, funded, or contributed to during the marriage — regardless of account title — are presumptively community property under Tex. Fam. Code § 3.003. These include but are not limited to Accenture-based equity (RSUs, VEIP, and sign-on bonuses), Ameriprise accounts (Prize, RISS), rollover IRAs, Cognizant 401(k), AIG-related assets, E*TRADE accounts, and both Roth and Traditional IRAs, Etc.

Respondent requests that any account for which Petitioner has failed to provide clear and convincing tracing be declared community property and subject to equitable division. Petitioner's reclassification of these accounts as separate — only at trial and without proper disclosure — constitutes both fraud on the estate and a due process violation through intentional misrepresentation.

V. PATTERNED FINANCIAL SABOTAGE, RETALIATION, AND PERJURY: THE "DISCARD" STAGE

The following categories of harm reflect the deliberate nature of Petitioner's conduct during the breakdown of the marriage, which must be factored into any ruling on equitable division, sanctions, or procedural relief. These tactics mirror prior relationships and are part of a repeated pattern that places Respondent at extreme risk of permanent financial and psychological damage.

A. Misrepresentation During Mediation

Petitioner admitted community ownership of key accounts during mediation and preliminary disclosures, only to reverse course at trial without legal tracing or amended inventory.

B. Lack of Tracing and Disclosure

No tracing has been provided for major investment accounts, including VEIP and RSU equity, nor has Petitioner produced source documents or amended inventories—despite repeated requests and motion filings.

C. Commingling and Use of Joint Accounts

Funds were moved into shared accounts and used for joint obligations (e.g., mortgage, travel, groceries), destroying any claim to separateness under Texas law.

D. Legal Framework

Under Tex. Fam. Code § 3.003, all property acquired during the marriage is presumed community property. Petitioner has failed to provide clear and convincing evidence otherwise. The conduct also implicates *Boyd v. Boyd*, *Hanau v. Hanau*, and *Zorilla v. Wahid*, which prohibit post-discovery reclassification without documentation.

VI. TIMELINE OF ESCALATING ABUSE AND OBSTRUCTION (AUG 2024 – JAN 2025)

(Add a short lead-in like this to contextualize)

The following timeline provides factual support for the claims above and illustrates the sudden and severe escalation of harm, fraud, and obstruction inflicted by Petitioner in the months leading to separation and trial.

(Then continue exactly as you've written — no need to change the bullet content. It's brutal, detailed, and persuasive.)

VII. PROCEDURAL AND CONSTITUTIONAL VIOLATIONS

Respondent has been denied the ability to:

- Be heard on 25+ motions including five emergencies
- Access the same eFile tools as attorneys due to unruly Equal Access request
- Conduct discovery, as Petitioner's counsel withdrew, then returned to submit a silent document dump without answering interrogatories, inventorying assets, or producing unredacted accounts
- Protect his physical and medical safety amid known psychiatric escalation

These omissions violate Respondent's due process rights under:

- Tex. Fam. Code § 6.502,
- Tex. R. Civ. P. 192, 215, and 21f(k),
- Fourteenth Amendment of the U.S. Constitution (procedural due process)

VIII. RESPONDENT RESERVES RIGHTYS TO SUBMIT NEWLY IDENTIFIED AND UPDATED FINANCIALS

- Due to worsening financial harm and inflation of past-due obligations, Respondent respectfully reserves the right to submit updated monetary relief requests (e.g., for spousal support and reimbursement) prior to any ruling on the following motions.

Including, but not limited to, the 7 material motions filed between March and July 2025 addressing emergency relief, intentional torts, psychiatric risk, sanctions, and procedural obstruction.

IX. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully prays that the Court:

1. **ABATE** any trial setting or final hearing in this matter
2. **WITHHOLD** entry of any final orders, including property division
3. **SET HEARINGS** on all pending emergency and un rebutted motions
4. **ORDER** ruling on Respondent's prior request for **Equal Access as Attorney**
5. **ORDER** Petitioner to fully comply with **unredacted financial discovery or grant Respondent subpoena power**
6. **GRANT SANCTIONS** where necessary to discourages others from perpetuating such bad faith tactics,
7. **GRANT** such other and further relief as Respondent may be entitled at law or in equity.

Respectfully submitted,



Jason McKemie

Pro Se Respondent

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RESPONDENT'S DISCLAIMER:

PRO SE NOT BY CHOICE (PROCEDURAL IDENTITY THEFT DISCLAIMER)

Petitioner did not merely file first — she intercepted Respondent's filing by fraudulently reversing his attorney retainer the day after his spinal surgery, she severed his access to counsel and funds. She withheld the retainer reinstatement until Friday to block re-engagement, then had attorneys work through the weekend to file first with a fabricated protective order — a calculated seizure of Petitioner status to construct a false narrative of abuse and victimhood, consistent with her documented legal history of doing so across multiple institutions.

Respondent was left destitute, forced to sell plasma for medication. Over the prior 4 months, Petitioner had funneled hundreds of thousands into hidden accounts and buried him in marital debt through emotional manipulation under the pretense of a "short term cash crunch". In reality, large volumes of cash were flowing in yet she informed Respondent they were at risk of bouncing utility payments, encouraging him to get another credit card or to put groceries on 6mo payment plans. SAPD referred her to the Mental Health Division after the fourth AirTag she turned in — just as the prior 3 — was registered solely to her iCloud, effectively killing the "stalking" narrative. Despite 25 Motions, 5 Emergency Motions, 22 Ex Parte Judicial Requests for Relief, a Judge Recusal, over nine months... no court has ruled on the perjury, aggravated perjury, fraud, asset concealment, witness tampering,—or corrected the false "six-month marriage" narrative that was weaponized to deny Respondent spousal support, legal fees, and due process.

Truth is an absolute defense to defamation.

—NOTICE TO THE COURT AND RECORD—

This document is submitted with a standing constitutional and procedural reservation of rights. Respondent has previously notified this Court in writing of un rebutted allegations of discovery abuse, evidentiary suppression, financial coercion, and litigation misconduct—all of which remain unrul ed upon at the time of this filing.

Any entry of decree, final ruling, or trial-based judgment prior to formal rulings on these motions constitutes a willful denial of due process under both the Texas Constitution and the 14th Amendment to the U.S. Constitution.

This reservation is hereby entered into the permanent record and incorporated by reference into all prior and future filings, without waiver.

"THE RIGHT TO DUE PROCESS WITHOUT ACCESS OR ENFORCEMENT IS AN ILLUSION OF JUSTICE—NOT JUSTICE ITSELF.

This notice also preserves Respondent's right to seek redress under 42 U.S.C. §1983 or there applicable remedies if fundamental rights violations are not corrected.

Trial May Not Proceed Until Outstanding Motions Are Ruled On

Trial WOULD CONSTITUTE A PROCEDURAL FAILURE IF COMMENCED PRIOR TO THE Court's ruling on all pending motions, including those relating to discovery violations, financial concealment, and procedural fraud. Proceeding without resolving these matters would not only violate due process but would also allow the foundation of trial to rest on un rebutted falsehoods and un resolved evidentiary conflicts.

Respondent respectfully requests that the Court confirm, on the record, that no trial setting or final ruling will occur until all outstanding motions have been fully adjudicated.

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Status as of 8/8/2025 8:08 AM CST

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