

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. DF-24-18010

NOTICE: DOCUMENT CONTAINS SENSITIVE INFORMATION.

IN THE MATTER OF
MARRIAGE OF

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GWENDOLYN ULIJASZ-MCKEMIE
&
JASON MCKEMIE

IN THE DISTRICT COURT THE

302nd JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

RESPONDENT’S MOTION TO ESTABLISH CONDITIONS FOR RE-ENTRY OF COUNSEL AND TO PRESERVE FAIR TRIAL PROCEDURES

I. INTRODUCTION

Respondent moves the Court to establish **prospective, neutral conditions** that will apply **only upon any future re-entry of counsel for Petitioner**. This relief is sought to preserve **procedural fairness**, ensure **orderly discovery**, and protect the Court’s docket from disruption caused by withdrawal and re-entry of counsel around discovery and pretrial deadlines.

This Motion does **not** limit Petitioner’s right to counsel. It regulates only the **procedural consequences of re-entry** to prevent prejudice and ensure a fair trial.

II. FACTUAL BASIS (BRIEF)

1. In this case and in a prior district, Petitioner’s counsel has withdrawn when discovery obligations were due and re-entered later before trial.
2. This pattern disrupts discovery, delays compliance, and prejudices trial preparation—particularly where Respondent is proceeding pro se under financial constraints.
3. Petitioner has previously asserted financial distress while simultaneously retaining **multiple attorneys and legal staff**, a circumstance inconsistent with destitution and one that materially affects parity and scheduling.
4. The Court has already identified discovery deficiencies and abated deadlines for stabilization. Clear rules governing any re-entry are necessary to prevent recurrence and protect fairness.

III. LEGAL AUTHORITY

The Court has inherent authority to **control its docket, prevent gamesmanship, and ensure a fair trial**. Conditioning the **timing and consequences** of counsel re-entry—without restricting the right to counsel—is a proper exercise of that authority.

IV. REQUESTED RELIEF (CONDITIONAL; TRIGGERED ONLY UPON RE-ENTRY)

A. Disclosure & Certification (Automatic)

Upon any re-entry of counsel for Petitioner, re-entering counsel shall, within **10 days**, certify receipt and review of the full discovery record, all prior orders, and all pending discovery obligations.

B. Automatic Continuance (Parity & Preparation)

Upon re-entry, all trial and exhibit deadlines shall be **automatically continued** for **45–60 days** (as the Court deems appropriate) to allow:

1. completion and cure of outstanding discovery;
2. supplementation necessitated by prior deficiencies; and
3. orderly trial preparation.

C. Mandatory Discovery Cure Window

A **21-day cure period** shall open upon re-entry for completion and supplementation of discovery previously ordered or identified as deficient, without waiver of objections preserved by order.

D. Fee Parity / Funding (Conditioned)

If Petitioner re-enters counsel after previously asserting financial distress, **reasonable fees and costs necessary for Respondent to consult or retain counsel for parity** shall be **advanced from the marital estate controlled by Petitioner**, subject to later allocation. This relief is for **procedural parity**, not a merits finding.

E. Docket Protection Against Strategic Withdrawal

After re-entry, any subsequent withdrawal of Petitioner's counsel shall require **leave of Court** upon a showing of good cause **unrelated to discovery or pretrial deadlines**.

F. Sanctions Reserved

The Court **reserves sanctions** for any violation of these conditions or renewed withdrawal/re-entry tied to discovery avoidance.

V. PRAYER

Respondent respectfully requests that the Court grant this Motion and sign the proposed order establishing conditions upon any re-entry of counsel for Petitioner.

Respectfully submitted,



Jason McKemie
Defendant, Pro Se
539 W. Commerce St., Ste. 2010
Dallas, Texas 75208
(214) 868-4901
jmckemie@mckemie.net

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Notice was served on **GWENDOLYN ULIJASZ**, and any counsel of record, and provided to the Court on **January 15, 2026**, by electronic filing & email.

JASON MCKEMIE

