

CAUSE NO. _____

*In re. A. M., a minor at the time
of the events in question.*

§ IN THE DISTRICT COURT
§
§ _____ JUDICIAL DISTRICT
§
§ OF HARRIS COUNTY, TEXAS

**PETITIONER'S ORIGINAL VERIFIED PETITION AND REQUEST FOR
TEMPORARY ORDERS AND REQUEST FOR PERMANENT INJUNCTION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW A. M.¹, a 16 year old minor at the time of the events complained of in this petition, files this petition for temporary orders and permanent injunction for the following reasons:

1. At the age of 16, A. M. was repeatedly sexually assaulted by a 35 year old male who resides in Harris County, Texas. On more than 50 occasions, A.M. was made to perform vaginal and oral sex with this adult male who was her boss at a KFC restaurant.
2. After hiring the undersigned counsel late last week, A.M. filed criminal charges against the 35 year old male. A copy of the HPD claim number is attached as ***Exhibit 2***. A.M., now 19 years old, disclosed that the 35 year old male had taken several sexually suggestive and nude photographs of her while she was 16. The photographs were taken on the male's cellphone. She also revealed that he had secretly taken pictures of her derriere and other parts of her nude body and had shown them to her.
3. A review of the male subject's social media and internet sites reveals that he has a habit of posting nude photographs of females on his sites for the entire world to see.

¹ Because of the sensitive nature of the allegations in this matter, plaintiff's initials are used. Her complete legal name is provided in the sealed exhibit 1 to this Petition.

Attached as Exhibits 3-7 are several pictures taken from his social media sites showing images of a partially nude woman. Also, the male subject continues to try to contact petitioner by social media even after a cease and desist letter was sent to him by Petitioner's counsel.

4. Petitioner is aware of the Texas Revenge Porn Law that took effect September 1, 2015. That law, however, does not provide Petitioner protection from irreparable harm that will occur if her pictures are posted on a website by respondent. Rather, that law is a *post injury* criminal remedy which provides criminal penalties *after* a person's nude images have been displayed. See Texas Penal Code, Sec. 21.16, Unlawful Disclosure or Promotion of Intimate Visual Material.

5. Petitioner seeks immediate injunctive relief to *prevent* the publication of images taken of her by this 35 year old man. The sudden release and posting of such pictures on any social media site or on the internet will cause irreparable damage to Petitioner which will be unable to be remedied in damages. The pictures were taken in secret and when petitioner was a child. The male subject took advantage of this child and should not be permitted to take further advantage of her by displaying such pictures.

I. REQUESTED RELIEF

1.1. A.M. seeks an immediate restraining order, temporary injunction, and ultimate permanent injunction against the 35 year old male who is identified in the attached sealed exhibit to prevent him or his agents from posting, publishing or displaying in any way petitioner's photographic, video or visual images and/or any sex acts involving petitioner. .

1.2 Further, if the identified respondent or his agent(s) has/have already published visual images of A.M., Petitioner seeks an injunction that such publications and site(s) be shut down, turned off, and/or petitioner's images removed from public access until a hearing is held on Petitioner's request for a permanent injunction.

1.3 Petitioner files this petition under her personal initials as a pseudonym to protect her identity because of the sensitive nature of the allegations contained herein.

1.4 Also, the name and address of the male subject/respondent is provided in the attached sealed Exhibit 8 to this petition. Respondent is a resident of Harris County and may be served with this petition, order, and process at the address provided in attached Exhibit 8.

1.5 The events complained of herein all occurred in Harris County, Texas.

1.6 The 35 year old male is requested to be served with process by anyone duly authorized to serve process by hand delivery at the address provided in the attached sealed Exhibit 8.

1.7 For obvious reasons this petition is filed *ex parte* and without notice to the male subject in order to prevent any sudden attempts by that individual to perform the very acts that are sought to be enjoined. Recently, despite repeated requests for the respondent not to contact Petitioner, see Exhibit 9, he has persisted in his attempts to get back with her. The filing of criminal charges against him will surely increase the likelihood of his contacting or harming Petitioner. He has not responded to reasonable requests by Petitioner and her counsel to cease and desist from contacting petitioner or attempt to contact her via the internet and social media sites. He even has asked third parties to use their contacts with Petitioner to try to facilitate his contacting her. Given his prior pedophilic abuse of Petitioner an order restraining his irrational behavior is needed.

II. PRAYER

2.1 Given the above, A.M. asks for a temporary restraining order and ultimate permanent injunction to enjoin respondent, as identified herein, from doing any and all of the following:

- a. Displaying, showing, publishing, or allowing any third party to view any photographs and nude or partially nude images of petitioner;
- b. Permit any images, pictures or postings of A.M. to continue to be published, displayed or seen on any internet site, social media forum, listing, social media site, or internet or publicly viewable location where a third party may be able to access, view, and/or see any images of petitioner; and,
- c. Making any attempts to contact, communicate with Petitioner A.M., either directly or indirectly, and he should be ordered to not come within 1,000 feet of petitioner.

2.2 Petitioner asks that the Court enter the attached temporary restraining order, set this matter for hearing on a temporary injunction, and set Petitioner's claims for injunctive relief for a hearing/trial on the merits. Petitioner's monetary damages exceed the minimum jurisdictional limits of this court.

Respectfully Submitted,
THE HALL LAW FIRM

/s/ Benjamin L. Hall, III

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Attorney for Petitioner

Unofficial Copy Office of Chris Daniel District Clerk

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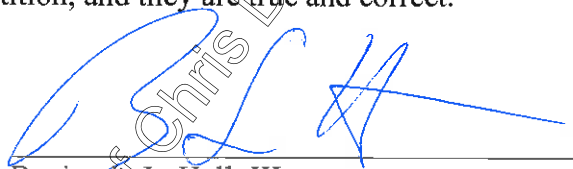
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Affidavit

Before me, the undersigned authority, personally appeared Benjamin L. Hall, III, known by me to be the person whose name is subscribed below, and being duly sworn stated upon his oath as follows:

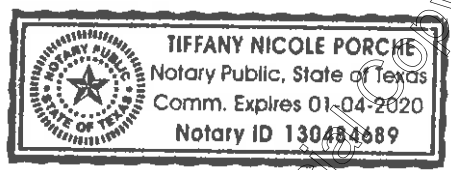
"I am lead counsel for petitioner in the above-identified matter. I have personal knowledge of the facts stated in this Original Petition, and they are true and correct."

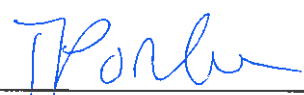
Further, affiant sayeth not.



Benjamin L. Hall, III

SWORN TO AND SUBSCRIBED BEFORE ME on the 28th day of November, 2016.





Notary Public in and for the State of Texas

Unofficial Copy Office of Chris Daniel District Clerk