

NO. 22-0129

BRANDON BURLESON	<input type="checkbox"/>	IN THE DISTRICT COURT
	<input type="checkbox"/>	
v.	<input type="checkbox"/>	
	<input type="checkbox"/>	HAYS COUNTY, TEXAS
JONATHAN WILHELM A/K/A JON OLIVER,	<input type="checkbox"/>	
MARIA CHRISTINA LEE, MONICA BECERRA,	<input type="checkbox"/>	
AND RUBEN BECERRA	<input type="checkbox"/>	_____ JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION**

TO THE HONORABLE COURT:

Plaintiff, Brandon Burleson, files this original petition and request for injunctive relief against Defendants, Jon Oliver, Monica Becerra and Ruben Becerra, and alleges as follows:

1. Plaintiff intends to conduct discovery under Level 3 of Texas Rule of Civil Procedure 190.4 and affirmatively pleads that this suit is not governed by the expedited-actions process in Texas Rule of Civil Procedure 169 because Plaintiff requests injunctive relief and monetary relief over \$250,000.
2. Plaintiff seeks monetary relief over \$1,000,000 and non-monetary relief.
3. Plaintiff is an individual who resides at 1312 Madrid Trace, San Marcos, Texas 78666.
4. Defendant Jonathan Wilhelm a/k/a Jon Oliver is an individual who is believed to reside at 11926 Bittern Hollow, Austin 78758 and who may be served with process at that address or wherever he may be found.
5. Defendant Monica Becerra is an individual who is believed to reside at 208 E Mimosa Circle, San Marcos, Texas and who may be served with process at that address or wherever she may be found.
6. Defendant Ruben Becerra is an individual who is believed to reside at 208 E Mimosa Circle, San Marcos, Texas and who may be served with process at that address or wherever he may be found.
7. Defendant Maria Cristina Lee is unknown to Plaintiff.

8. This Court has subject matter jurisdiction, jurisdiction over the parties, and the amount in controversy exceeds the minimum jurisdictional limits of the Court.

9. Venue is mandatory in Hays County under Texas Civil Practice & Remedies Code section 15.017 because this suit involves slander and Hays County is the county where Plaintiff resided when these claims accrued.

10. In mid to late December 2021, the Plaintiff became aware that "Jon Oliver" was using social media to accuse Plaintiff of being a "pedophile" and drugging and raping 14 year-old boys in Austin. "Jon Oliver" then apparently offered these fabricated allegations to Monica and Ruben Becerra in a misguided attempt to discredit him. These allegations are untrue and fabricated by the Defendants or repeated without regard to their truth or falsity.

11. Defendants published these statements by oral communication and/or written communication asserting as fact that Plaintiff was, among other things, a "pedophile." Defendants have also published similar words of like effect that Plaintiff "drugged" and "raped" minor children. These defamatory statements were false and the Defendants certainly knew or should have known they were false. These defamatory statements constitute slander per se in that they accuse the Plaintiff of criminal conduct and they tend to injure the reputation of the Plaintiff and expose the Plaintiff to public hatred, contempt, or ridicule. The Defendants either created such false statements or were negligent in determining whether the statements were true and such statements were made or repeated with reckless disregard for whether or not such statements were true.

12. Defendants statements did not refer to Plaintiff in any official capacity or as a candidate for public office.

13. Defendant's false statement directly and proximately caused injury to Plaintiff, which resulted in the following general damages:

14. As a result of defendant's publications of these defamatory statements, Plaintiff has also suffered great pain and anguish, to plaintiff's damage.

15. Defendant's false statement directly and proximately caused injury to Plaintiff, which resulted in the following special damages:

16. Plaintiff seeks damages within the jurisdictional limits of this Court.

17. Exemplary damages. Plaintiff's injury resulted from Defendants' malice, which entitles plaintiff to exemplary damages under Texas Civil Practice & Remedies Code section 41.003(a)(2).

18. Defendants are also liable for common law conspiracy. Defendants have, conspired to accomplish an unlawful purpose and/or a lawful purpose by engaging in and continuing to engage in efforts to alienate, disenfranchise, marginalize, and demonize and otherwise defame the Plaintiff. Such unlawful purpose includes but is not necessarily limited to conspiracy to defame, harass, vilify, and bully the Plaintiffs, including, but not limited to referring to Plaintiff as a pedophile. These conspirators had a meeting of the minds on their mutual objective and course of action and agreed to work together, encourage, promote, aid, abet, undertake, and otherwise conspire to commit the wrongful, improper, and unlawful acts, alleged in this petition.

19. The Defendants conspired by concerted action to effectuate the defamation alleged herein. Defendants entered into a conspiracy to maliciously defame Plaintiff by promoting and spreading false rumors about Plaintiff as alleged herein. Each of the Defendants, acting in concert, has stated to numerous persons, including acquaintances of Plaintiff that each was seeking false evidence or promising to provide such false evidence about Plaintiff and insisting that each had "proof." As part of the conspiracy, among other things, these Defendants caused to be published or participated in, encouraged, aided, abetted, the publication of, among other defamatory statements, communications asserting as fact, directly and indirectly, that Plaintiff committed illegal acts. These statements were defamatory because they unambiguously, by innuendo, and/or by implication injured Plaintiff's reputation and exposed Plaintiff to public hatred, contempt, ridicule, or financial injury, impeached Plaintiff's honesty, integrity, virtue, or reputation., exposed Plaintiff to public hatred, ridicule, or financial injury, and/or falsely charged Plaintiff with committing a crime.

20. These statements, made on behalf of, encouraged by, or aided by Defendants, were false and were made intentionally, negligently, or recklessly without regard to whether the statements were true or not and with the purpose of injuring Plaintiff. These false statements caused injury to Plaintiff and were defamatory per se, which entitles Plaintiff to a presumption

of general damages. Plaintiff seeks unliquidated damages within the jurisdictional limits of this court. Plaintiff's injuries resulted from malice, which entitles Counter-Plaintiff to recover exemplary damages.

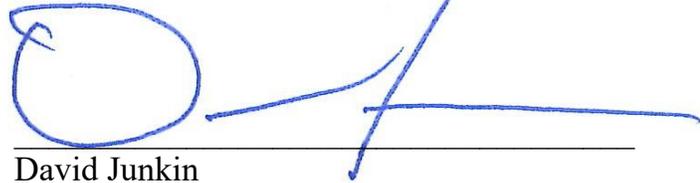
21. All conditions precedent to Counter-Plaintiff's claim for relief as generally described herein have been performed or have occurred.

For these reasons, Plaintiff asks that he be awarded a judgment for the following:

- a. Actual damages;
- b. Exemplary damages;
- c. Injunctive relief prohibiting such specific conduct in the future;
- d. Prejudgment and post-judgment interest;
- e. Court costs;
- f. Attorney's fees; and
- g. All other relief to which Plaintiff is entitled at law or in equity

Respectfully submitted,

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