

**UNITED STATES DISTRICT COURT OF TEXAS  
SOUTHERN DISTRICT HOUSTON**

**H - 08 - 3708**

**Deborah R. Dolen, AKA Author  
"Mabel White"**  
Plaintiff

Court File No. \_\_\_\_\_

**COMPLAINT**

vs

**JURY TRIAL DEMANDED  
&  
Temporary Injunctive Order  
Requested**

**Julie Ryals, AKA The Design Shoppe,  
& Jane Doe Libel Cyberstalker,  
Defendant(s.)**

\_\_\_\_\_/

**Plaintiff, Proper Personom, Deborah R. Dolen** for her complaint against the above-named Defendants, states and alleges as follows:

**JURISDICTION**

1. This court has **Jurisdiction** by and through **15 USC §1125, Federal Communications Law** which provides, in a defamation action, a plaintiff may bring suit in any state in which the plaintiff can prove that someone received the defamatory message, as well as other Federal provisions actionable in the Federal 2<sup>nd</sup> Restatement of Torts, Constitutional of the United States. This court also has jurisdiction under **Anti-Phishing Act, 18 U.S.C. 875, and TX Business \* & Commerce Code § 48.101-2.**
2. Damages well exceed the amount of \$75,000.00.

**PARTIES**

**3. Deborah Dolen** is a resident of the State of Texas, county of Brazoria. Dolen is also **highly** regarded and well known publicly as an author of 25 "Do It Yourself" Craft Books under the trade name "Mabel White," which sells film footage, books, supplies, web site design, and other sole web "Do It Yourself" related services and products. At all times the allegations herein have taken place in Brazoria County, TX. Both names will be hereinafter known as "**Plaintiff.**"

**4. Julie Ryals** is a resident of the State of Florida, New Port Richey, County of Pasco whose sole occupation is conducting business over the internet via **DBA The Design Shoppe.com** as well as a series of web sites, one being a new "Do It Yourself" venture that directly competes on the internet with the good name of Mabel White, where Ryals course of conduct presents legally actionable information as discussed herein- in every state as well as every country, to include the State of Texas. <http://www.diyshoppes.com/>

5. As will be shown, **Ryals** went beyond the veil of immunity that 2006 CDA normally affords her as a web host, by creating, entering, linking, and or copy/pasting offensive, hateful, irrelevant and libelous content against Plaintiff causing the worst harm imaginable and Ryals is directly responsible for all actionable entries onto the internet as well as graphic design creator and owner of the offending web site(s) described herein. Plaintiff has absolute proof Ryals is direct content creator of actionable material-and has contacted legitimate agencies to play "victim" of Plaintiff-who have ascertained Ryals is not a victim and is site owner. *Julie Ryals Does business in the state of Texas.*

6. **Jane Doe Libel Cyberstalker** Since Ryals claims she is not the site owner, per Plaintiffs "Cease and Desist" letters, a hypothetical "Jane Doe" has been added to this document. Discovery will reveal the status although Ryals has still lost the cloak of a 2006 Communications Decency Act as content entry and creation person as well as having sole control over actionable content. Both Ryals and Doe will be hereafter known as "**Defendant(s).**" [EXHIBIT "C" & "D"] are Plaintiffs Cease and Desist attempts-upon seeing "EXHIBIT B"-a hateful e-mail sent to the plaintiff in the County of Brazoria, state of Texas on November 4<sup>th</sup>, 2008.

**COUNT I  
INTERNET FRAUD**

**15 USC § 1125 & Anti-Phishing Act &  
Chapter 28 of the Texas Commerce Code  
§ 48.001-2**

*Plaintiff restates and realleges each allegation set forth in paragraphs 1 through 5 as if set forth verbatim herein.*

7. Plaintiff has owned DeborahDolen.com, her personal site, and MabelWhite.com a commerce site for years which and well branded and established DYI site. Dolen has many degrees, awards and is an upstanding member of both communities where she resides

8. On or about October 28<sup>th</sup> 2008 and to the present date, the Defendant(s) created web page(s) using the Plaintiffs good Trade names, [Mabel White] and good personal name for fraudulent purposes, without plaintiff permission to use plaintiffs name likeness or image, to engage in conduct involving the fraudulent use or possession of Plaintiff Trade name of good value where Defendant(s) hold themselves out as a legitimate on line business and did so without authorization of the Plaintiff(s) for the purpose of luring, soliciting, inducing Plaintiff(s) good will [web hits of great monetary value] by putting alarming content and Plaintiffs name in key words- and creating web pages with Plaintiff(s) names to then be re-directed to Defendant(s) site which appears to be legitimate when in fact Defendant(s) own a new DYI "Do It Yourself" competing site that would not attract web business. To wit:

[http://www.bustedscammers.com/mabel\\_white.htm](http://www.bustedscammers.com/mabel_white.htm)  
[http://www.bustedscammers.com/deborah\\_dolen.htm](http://www.bustedscammers.com/deborah_dolen.htm)

9. Defendant(s) own or have sole control over:

<http://www.diyshoppes.com/>  
<http://www.thedesignshoppe.com/>  
<http://www.mompack.com/>  
<http://www.bustedscammers.com/>

Which are very linked together as a unit-and link to countless others also. Aware of this action, on or about December 19<sup>th</sup>, 2008 removed all links to her DIY and other sites to avoid accountability in this court and conceal critical information to this court. **[EXHIBIT H]** Ryals DIY web site front page-linked to offending pages she created on her sever re Plaintiff.

11. Plaintiff has given TWO maybe three Cease and Desist requests to the Defendant Ryals to remove the libel and untrue information and all Ryals did was ADD more libelous material as well as more disclaimers that she is not liable as a web host. **For this reason the illegal practice and abuse of her cloak of web host will continue unless stopped by this court.** Not to mention recent alterations to remove links to her other sites off the actionable pages on December 19<sup>th</sup>, 2008.

11. Regarding the actual libel and defamation, Plaintiff made it VERY clear to Defendant(s) truth is not a defense when they rely on one news reporter who said untrue things. **A news article from years ago is NOT a mere evidence of ANY fact.** In addition, malice was a extreme motive, as well as "context" being irrelevant and of no legitimate business value to the public other than to seriously harm Plaintiff and PROFIT off of her name.

**WHEREFORE**, Plaintiff hereby requests all relief as outlined in § 48.005 CIVIL RELIEF of the TX BCC to include, but not limited to **immediate temporary injunctive relief**, of both servers the offending material is being generated from  
NS1.THEDESIGNSHOPPE.COM  
NS2.THEDESIGNSHOPPE.COM  
ISP 63.247.128.0 - 63.247.143.255  
to be shut down as well as \$100,000 in damages per incident. Under this section Plaintiff is also allowed reasonable attorneys fees from the Defendant(s) and demands trial by jury and any relief this court deem appropriate.

**COUNT II**  
**CYBERSTALKING**  
**18 U.S.C. 875(c) & F.S. § 784.048 & T.S. § 42.07**  
**15 USC § 1125**

*Plaintiff restates and realleges each allegation set forth in paragraphs 1 through 10 as if set forth verbatim herein and also incorporates paragraphs 16 & 18.*

12. On or about September 2008 the Defendant(s) engaged in internet activity to annoy abuse, harass, defame libel, terrorize and humiliate the Plaintiff using the web sites and link to the web sites as listed above. The content is "on its face" horrific and designed to cause ridicule, hatred and for the Plaintiff to be generally despised by the general public. The threat to injure the Plaintiff is perfected by successfully inuring the income, good name and over all societal accomplishments by the Plaintiff. In addition Defendants have

created a chat room to encourage others to join them and do the same and others have done so and Plaintiff is getting hate mail such as “we are coming to get you...” and “now we know where you are so we can lock you up.” [EXHIBIT “A”] **Graphics alone surrounding Plaintiff’s name(s) and photo on Defendants site are malicious.** [Damaging slurs in COUNT III and in part EXHIBIT” B”.]

13. The Defendants clearly engaged in a course of conduct directed at specifically the Plaintiff(s) that did cause substantial emotional distress and extreme loss of business to the Plaintiff(s) and continues to do so. There never was a legitimate purpose or even legitimate business purpose for Defendants to engage in such a pattern other than to be malicious to the Plaintiff and profit off her good trade names by securing “hits” from customers searching for the Plaintiff’s name on the internet which is theft of Plaintiff’s property and is of value.

14. The Defendants have on several occasions added more hurtful and libelous content to the aforesaid web pages to secure the pattern necessary for harassment. Oddly these updates were performed after EVERY Cease and Desist request from the Plaintiff.

15. The actions of the Defendant(s) caused credible threat to the Plaintiffs in the form of e-mails “We know where you are, now we are coming to get you...” and “we are going to come and lock you up” to name a few-as if the Defendants had authority to arrest a person.

**18 U.S.C. 875(c)**, it is a federal crime, punishable by up to five years in prison and a fine of up to \$250,000, to transmit any communication in interstate or foreign commerce containing a threat to injure the person of another.

**Per F.S. § 775.082** or s. **775.083**. person commits the offense of stalking, a misdemeanor of the first degree.

**Per T.S. § 42.07** An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted under this section.

**WHEREFORE**, Plaintiff hereby requests all relief as outlined in **18 U.S.C. 875**. Under this section Plaintiff is also allowed reasonable attorneys fees from the Defendant(s) and demands trial by jury and any relief this court deem appropriate, as well as referral for criminal proceedings against the Defendants over to the Department of Justice.

**COUNT III**  
**LIBEL, DEFAMATION & DISPARGEMENT**  
**CONSTITUTIONAL VIOLATIONS AND FEDERAL 2<sup>nd</sup> RESTATEMENT of**  
**TORTS as well as F.S. § 836.01-836.04 & Texas**

*Plaintiff restates and realleges each allegation set forth in paragraphs 1 through 21 as if set forth verbatim herein.*

16. The Defendant(s) made endless statements and continue to do so that are not true, subjects the Plaintiff to hatred, ridicule, distrust, disgrace and injured her profession dramatically as well as all those who are new to her that she wishes to do business with,

not counting any new personal relationships-and these multitude of statements were published deliberately and maliciously in the internet for no legitimate reason or than malice and to gain profit from Plaintiffs name recognition and gain far more hits than they accomplish on their own.

17. Example of the libelous and untrue information plastered all over Defendant(s) site includes that Plaintiff was an admitted prostitute, and that Plaintiff was convicted of Grand Theft and/or arrested in 1990 which was not true. Even if true has **no legitimate reason for being published** but for malice and shock value to gain hits some 19 years later-and "unfavorable light" would factor in. Anymore comments that are not true, or twisted for shock value and effect, [and there are 33] would be requested to be under court seal so such libel cannot continue to be spread via this request for relief.

18. **[EXHIBIT "B"]** says it all-this and is hereby **made part of this complaint**, was an e-mail sent to Ryals entire database of women, one of them forwarding the Plaintiff the assaulting information in Brazoria county, TX via e-mail with obvious intent to cause her great emotional harm-which it did. None of the statements are true and what they are discussing about FTC shutting Plaintiff down was not true either. They refer to a baer civil suit that did have a temp injunctive order-and FTC never won that case. This is the type of content post on the site WITH the good name Mabel White thrown in-to attract the DYI customers who highly esteem Mabel White-if nothing else to wonder what that is all about?
19. **[Exhibit "E"]** Shows the libel comes up on the first page of a Google engine search for Mabel White which never had anything to do with any false news article or otherwise.
20. **[Exhibit "F"]** Shows general malice of Julie Ryals and willingness to break Federal Laws. In this exhibit connected to the Plaintiffs character assassination-Julie admittedly is posting and displaying BILLS a customer OWES her. In this exhibit Julie admits who she is and that the Blossom Farm owes her money..\$8.95 a month and a total of \$53.70. As well as copies of the bills on the internet for all to see around the world. That is **flagrant bullying**, and a violation of several state and Federal laws to collect a debt.
21. **[Exhibit "G"]** Is the first publication of the assault on the plaintiff where all allegations were not true or twisted to put Deborah Dolen and Mabel White in an "unfavorable light" which is mildly putting it.

**WHEREFORE**, Plaintiff hereby requests all relief as outlined in the Federal Tort Acts for libel, defamation and/or disparagement. Under this section Plaintiff is also allowed reasonable attorneys fees from the Defendant(s) and demands trial by jury and any relief this court deem appropriate, as well as injunctive relief that the Defendant(s) cease to use Plaintiffs name to include by and through any third or fourth parties.

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