

life of the Plaintiff's wife, Jennifer Lostutter, who is a private citizen residing within the jurisdiction of the Middle District of North Carolina.

- III. That the post states as fact that the Plaintiff's wife "isn't the type to wait around for 2 years for any guy" constituting defamation of character and libel. The author provided no factual basis or source for this claim.
- IV. The post goes on to state as fact that "there ha[s] been reports on" the Plaintiff's wife "accepting money for sex before marrying Deric" and further defames the character of and libels the Plaintiff's wife by stating as fact that "There ha[s] been reports of" the Plaintiff's wife "sleeping around quite frequently for free before marrying Deric." Again, the author provided no factual basis or sources for their claim.
- V. The post's author then goes on to use the minor child of the plaintiff's wife as a topic to further libel and defame the Plaintiff's wife, stating as fact that "The reason her relationship with her first child's father didn't work out is because she cheated on him." The author did not provide a source or factual basis for this claim.
- VI. The post's author then posts a screen capture of the private Facebook profile of the Plaintiff's wife, noting that the author(s) have been monitoring the Plaintiff's wife's social media account for weeks, for purposes of harassment, in clear violation of North Carolina's cyberstalking statute N.C.G.S. § 14-196.3.

VII. The post's author then posts a public video of the Plaintiff's wife, noting the Plaintiff's wife is wearing her wedding ring, and then posts a public photo of the Plaintiff's wife stating the Plaintiff's wife is wearing her wedding ring in that image as well. The post's author then posted a public photo of the Plaintiff's wife, claiming as fact that the Plaintiff's wife has taken off her wedding ring, hinting at the Plaintiff's wife was being unfaithful, though the post's author failed to note that the photo in question was taken in front of a mirror, and therefore it was the right hand of the Plaintiff's wife that was pictured in the photograph posted.

IX. The post's author then further confesses that the website's operators, known to be the defendants, have knowingly and willingly violated North Carolina's cyberstalking statute N.C.G.S. 14-196.3 for a period of months, stating that due to their habit of stalking, the defendant(s) have witnessed "other photos and videos" where the Plaintiff's wife is "no longer wearing her wedding ring." The author provides no factual evidence of this allegation or source.

X. The Defendants then state as fact that the Plaintiff's wife is/was a prostitute, and "porn 'star'", further defaming the character of the Plaintiff's wife by labeling her a "sh**ty" human being". The defendants then state as fact, that the Plaintiff's wife has "Blue Waffle" which is an internet nickname for a type of vaginal fungus.

XI. The defendants, as this court can observe in the blocks at

at the end of the post in EXHIBIT A, did knowingly and willingly affect interstate commerce in their violations of local and federal statutes by intentionally listing keywords known as "tags" which are indexed by Google and other search engines as search queries that populate results should someone type the names of the Plaintiff or the Plaintiff's wife. These "tags" include: Jenny, Jennifer, Lostutter, Deric, cheat, cheated, cheating, Ohio, Kentucky, Sanders, etc.. Should any individual, to include the family, friends, or current or prospective employers Google the name of the Plaintiff's wife, or the Plaintiff, these posts will now appear as a result of that Google search.

XII. Shortly after the post in EXHIBIT A was published on DericLostutter.org, the Plaintiff did receive written correspondence while incarcerated in a Federal Correctional Center, using the federally controlled United States Postal Service, affecting Interstate Commerce, which had the intent and purpose of harassing, and intentionally inflicting emotional distress on and to the Plaintiff, wherein the author of the correspondence did confirm that they were actively stalking and monitoring the Plaintiff's family. The author of the letter, who is known to the Plaintiff, and to the Defendant(s), did attempt to conceal their identity, using a false return address without the realization that their local post office would stamp the correct time and city and location from which the letter was mailed by the person who intended to do harm to the Plaintiff. (EXHIBIT B) The subject matter of the correspondence and the date which

the correspondence was written and mailed to the Plaintiff,
directly relating to the subject matter in EXHIBIT A.

CONCLUSION

The actions of the defendant(s) further establishes this Court's jurisdiction over this matter. The actions of the defendant(s) and the libelous and defamatory content on DericLostutter.org not only further damages the Plaintiff, but the Plaintiff's family who are private citizens of North Carolina under this Court's jurisdiction. The Plaintiff has redacted identifying information of the minor child in EXHIBIT A.

Respectfully Submitted,



Deric Lostutter
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P.O. Box 1000

7/20/2017

CERTIFICATE OF SERVICE

I, Deric James Lostutter, do swear under penalty of perjury that I properly served a copy of the aforementioned Notice of Filing and all of the attached exhibits, properly marked, by the recent change in the Federal Rules of Civil Procedure that state that a copy mailed to defendants or their counsel who have subscribed to electronic ECF notification (e-mail) is no longer necessary, and therefore, am not required to mail a physical copy to the defendants or their counsel.

This the 20th day of June, 2017.

Respectfully Submitted,



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