

IN THE DISTRICT COURT, HARRIS COUNTY

189th Judicial District

Robert J. Kruckemeyer	)	DEFENDANTS MARK
	)	BURKE & JOANNA
Plaintiff	)	BURKE's FIRST
	)	AMENDED
	)	COUNTERCLAIM /
vs.	)	THIRD PARTY
	)	PETITION AND
Blogger Inc. D/B/A/, LAWIN	)	APPLICATION FOR
TEXAS.COM	)	PERMANENT
	)	INJUNCTION
	)	No. 2023-11266
)	
)	
Defendant)	
)	
)	
)	

**FIRST AMENDED COUNTERCLAIM/THIRD-PARTY PETITION
AND APPLICATION FOR PERMANENT INJUNCTION**

Defendants, Counter-Plaintiffs and Third-Party Plaintiffs Mark
Burke, individually, and on behalf of Blogger Inc., and Joanna Burke (“The

Burkes”) file this First Amended Counterclaim/Third-Party Petition and Application for Permanent Injunction against Plaintiffs, Counter-Defendants and Third Parties as listed herein.

Parties

Defendant, Counter-Plaintiff and Third-Party Plaintiff, **Mark Burke** (“Mark”), is an individual residing at 46 Kingwood Greens Drive, Kingwood, Texas, 77339 and on behalf of Blogger Inc. See; 202327202 - GUO, NA vs. INVESTOR LENDING LLC (Court 061); Plaintiff Na Guo, individually and on behalf of Skylight Property, LLC; Order signed SETTING HEARING, ORDER SETTING BOND SIGNED, ORDER SIGNED GRANTING TEMPORARY RESTRAINING ORDER (05/02/2023).

Defendant, Counter-Plaintiff and Third-Party Plaintiff, **Joanna Burke** (“Joanna”), is an individual residing at 46 Kingwood Greens Drive, Kingwood, Texas, 77339.

Counter-Defendant, **Robert Joseph “Bob” Kruckemeyer** (“Bob”) is a [Texas lawyer](#). Bob has already appeared in this lawsuit and no further

service is required.

Counter-Defendant, **The Kruckemeyer Law Firm** (“Kruckemeyer”) is an unincorporated DBA registered in Harris County on May 11, 2023. Kruckemeyer has already appeared in this lawsuit and no further service is required.

Counter-Defendant, **Randall O. “Randy” Sorrels** (“Randy”) is a [Texas lawyer](#). Randy has already appeared in this lawsuit and no further service is required.

Counter-Defendant, **The Sorrels Law Firm, PLLC** (“Sorrels”), is a domestic corporation doing business in Texas. Sorrels has already appeared in this lawsuit and no further service is required.

Counter-Defendant, [Jason A. Powers](#) (“Jason”) is a Texas lawyer. Jason has already appeared in this lawsuit and no further service is required.

Counter-Defendant [David A. Oubre](#) (“David”) is a Texas lawyer. David has already appeared in this lawsuit and no further service is

required.

Counter-Defendant, **Lewis Brisbois Bisgaard & Smith LLP** (“Lewis”), is a domestic corporation doing business in Texas. Lewis has already appeared in this lawsuit and no further service is required.

Counter-Defendant, **Berkshire Hathaway Direct Insurance Company** (“BHDIC”), and also trading as an insurance agency under the online brand [biBERK](#) (a Berkshire Hathaway Company), is a domestic corporation doing business in Texas. BHDIC has already appeared in this lawsuit and no further service is required.

Third-Party Defendant, [John Scott](#) (“Scott”) is **Acting Texas Attorney General and former Secretary of State**, who may be served at, Office of the Attorney General, 300 W. 15th Street, Austin, TX 78701 or wherever he may be found;

Third-Party Defendant, **Andrew P. Lehman** (“Lehman”) is an individual having his domicile in Harris County and who may be served at 13602 Shadow Falls Ct, Houston, TX 77086 or wherever he may be found.

Third-Party Defendant, Patricia Guerrero is Chief Justice and **Chairman of The Judicial Council** and who may be served at Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102-3688 or wherever she may be found.

Jurisdiction and Venue

The Court is kindly requested to advise the parties involved to provide their respective responses regarding the jurisdictional questions raised in this case. Furthermore, it would be greatly appreciated if the Court could consider scheduling a full hearing to thoroughly examine the matter at hand. The disputed subject-matter jurisdiction, as outlined in the attached addendums, requires careful deliberation.

Additionally, it is worth noting that the appropriate venue for this civil action, pursuant to Texas Civil Practices and Remedies Code Section 15.002(a)(1), is believed to be in Harris County, Texas, given that a significant portion of the events or omissions giving rise to the claim occurred within this jurisdiction.

Discovery Control Plan

Plaintiff respectfully requests this case be governed by Level 3, Texas Rules of Civil Procedure 190.4.

Relevant Facts

On February 3, 2020, Mark Burke established Blogger Inc as a non-profit 501(c)(3) organization in Delaware, with himself as the sole director. Since its incorporation, the company has maintained its formation and sole director status, with its registered office located in Delaware through its registered agent.

Mark Burke's operates various media publishing platforms, including the legal services-related blog at lawsintexas.com ("LIT"), as well as related microblogs such as lawsinflorida.com, lawsinny.com, lawsinvirginia.com, lawsin.us. He also owns financial services-related blogs like dbntco.com, cenliar.com, midfirst.mortgage, and wilfsb.com, all of which are wholly owned by Blogger Inc.

Initially, these blogs primarily focused on the 2008 financial crisis, delving into the events preceding, occurring during, and unfolding after what is considered the largest theft of citizens' residential homes in U.S. history. They highlighted the involvement of states, including Texas, the U.S. government, and their complicity in the matter.

Blogger Inc., as a non-profit organization, effectively utilizes blogging platforms to leverage storytelling, education, and community engagement to disseminate its message, advocate for change, and garner support for its cause.

Today, LawsInTexas.com (LIT) has gained recognition as an authoritative investigative legal blog and publishing platform. It provides concerned citizens, including those in the education and legal professions, with articles and information concerning matters of public concern.

However, the recognition and success come at a price, particularly when critiquing Texas, the U.S. government, the three branches of

government at both state and federal levels, the legal profession, and the influential financial institutions that shape policies and control the nation's resources, as observed following the financial crisis.

The First Amendment, Texas Constitution and Free Speech

The blogs' brand messages and articles, intentionally designed to be sardonic, have been deemed offensive by some lawyers in private and government positions, including those in the judiciary. Nonetheless, the content posted on LIT and related blogs is not libelous, defamatory, or slanderous; it falls under the protection of free speech rights. A legal case, [*O'Rourke v. Warren*](#), No. 03-22-00416-CV (Tex. App. June 9, 2023), supports this assertion. Mark, as the editor is responsible for these posts, and as such admits to his role and position as the sole director of Blogger Inc.

The Continuous Elder Abuse Must Cease

The distressing situation involves Joanna, an elderly, retired, sick, and grieving widow who lost her husband of over 63 years on September

4, 2022. She is still mourning his loss and undergoing major restorative medical surgeries, which were rescheduled due to the unexpected passing of her husband. Additionally, she has experienced further degenerative medical conditions during this period, necessitating additional surgeries. Given her vulnerable state, she should not be involved as a named party in any court proceedings related to Mark's business interests.

Despite this, Joanna has been sued under her own name and subjected to ongoing harassment, stalking, vicious abuse, and malicious targeting by the counter-defendants. Their repugnant and cowardly actions have the potential to exacerbate Joanna's fragility, posing a serious risk to her well-being and potentially shortening her lifespan.

This targeted mistreatment constitutes a deliberate campaign of terror, a conspiracy, and elder abuse. Furthermore, the counter-defendants are driven by greed, seeking fraudulent judgments to unlawfully seize Joanna's residential home, assets, chattels, and garnish

any liquid cash. Such actions would result in financial ruin, sabotage her relationships with financial institutions, and tarnish her otherwise exemplary credit ratings.

The Kruckemeyer Counterclaim

See Addendum K.

The Lewis and BHDIC Counterclaim

See Addendum B.

The Lehman Third-Party Petition

See Addendum L.

The Chairman of The Judicial Council Third-Party Petition

See Addendum C.

The Acting Texas AG Third-Party Petition

See Addendum A.

Application for Permanent Injunction

The Burkes request the Court set its Application for Permanent Injunction for a full trial on the merits and, after the trial, issue a

permanent injunction against the Counter-Defendants and Third-Party Defendants, as detailed in the respective addendums.

Prayer & Relief

See Individual Addendums.

Jury Trial

Defendants, Counter-Plaintiffs and Third-Party Plaintiffs demand a jury trial.

RESPECTFULLY submitted this 27th day of June, 2023.
I declare under penalty of perjury that the foregoing is true and correct.
This declaration under Chapter 132, Civil Practice and Remedies Code.

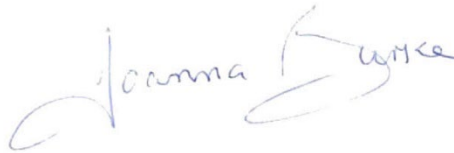


Mark Burke
State of Texas / Pro Se

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I declare under penalty of perjury that the foregoing is true and correct.
This declaration under Chapter 132, Civil Practice and Remedies Code.

A handwritten signature in blue ink that reads "Joanna Burke". The signature is written in a cursive style with a horizontal line underneath the name.

Joanna Burke
State of Texas / Pro Se

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Phone Number: (281) 812-9591
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing First Amended Counterclaim/Third Party Petition with an application for a Permanent Injunction has been forwarded to Plaintiff/Counter-Defendants /Third-Parties and counsel by electronic filing notification and/or

electronic mail and/or facsimile and/or certified mail, return receipt requested, this the 27th day of June, 2023.

A handwritten signature in black ink, appearing to read "Mark Burke". The signature is written in a cursive style with a prominent vertical stroke on the left side.

Mark Burke
State of Texas / Pro Se

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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Filing Description: FIRST AMENDED COUNTERCLAIM/THIRD-PARTY PETITION AND APPLICATION FOR PERMANENT INJUNCTION

Status as of 6/27/2023 10:05 AM CST

Case Contacts

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