

No. 10-0366

IN THE SUPREME COURT OF TEXAS

IN RE

JOHN DOES 1 AND 2,

RELATORS

From the Ninth Court of Appeals,
Beaumont, Texas No. 09-10-00051-CV

Trial Court Cause No. E-184,784

REPLY BRIEF TO PETITION FOR WRIT OF MANDAMUS
BY REAL PARTIES IN INTEREST

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Identity of Parties and Counsel

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Reply Issue No. 1

The trial court did not disregard the procedures of Rule 202 and did not order the parties to rely upon a Rule 11 agreement and a Subpoena. This was voluntarily done by the parties, and Rule 202 does not prohibit parties from entering into voluntary, informal discovery.

Reply Issue No. 2

The Honorable Judge Floyd’s Order was not state action depriving Relators of their First Amendment rights to anonymous speech. The website and Relators’ contents are clearly defamatory per se, and neither their identities nor the content of the blogs are protected under the First Amendment.

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