24th JUDICIAL DISTRICT COURT FOR JEFFERSON PARISH

STATE OF LOUISIANA

DOCKET NO. 877-585 **DIVISION: L**

ALLISON EDWARDS

VERSUS

CANDICE MATTHEWS

FILED: _____ **_____**
DEPUTY CLERK

MEMORANDUM IN SUPPORT OF DEFENDANT'S SPECIAL MOTION TO STRIKE PURSUANT TO LA. C.C.P. ART. 971 IN OPPOSITION TO PETITONER'S REQUEST FOR PROTECTIVE ORDER

MAY IT PLEASE THE COURT:

Defendant, Dr. Candice Matthews (hereinafter "Dr. Matthews" or "Defendant"), a civil rights advocate and educator, respectfully submits this Memorandum in Support of her Special Motion to Strike pursuant to La. C.C.P. art. 971 in Opposition to Petitioner's Request for Protective Order. This case began when Petitioner, a public school teacher, publicly mocked Dr. Matthews, called her a "con artist," and joined an online post accusing her of fraud. Dr. Matthews, consequently, filed a written complaint with Petitioner's employer, the Plaquemines Parish School Board, which confirmed that it would review the matter. The next day, Petitioner came to this Court and obtained a protective order that restrained Dr. Matthews's speech. This Honorable Court has since annulled that order. A complaint to a public body and the public conversation that followed are the speech and petitioning Article 971 protects, and a stalking petition cannot be used to silence them. Because Petitioner cannot show a probability of success, the Petition should be stricken and dismissed with prejudice, and Dr. Matthews awarded attorney's fees and costs.

I. INTRODUCTION

Petitioner mocked Dr. Matthews and called her a "con artist" in public, Ex. E-1, and answered a "FRAUD ALERT" post about her with a laughing comment that "she told me she was a principal." Ex. E-2. Dr. Matthews took her concern through the proper channel. On July 8, 2026, she wrote to Petitioner's employer, the Plaquemines Parish School Board, and asked it to review Petitioner's online conduct under its own professional-conduct and social-media policies. Ex. D-

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1. The next day, the District told her the complaint "will be reviewed and investigated." Ex. D-2. The day after that, Petitioner filed this Petition.

The orders that followed were entered without a full hearing on notice and without the thirty days the law guarantees a non-resident defendant. This Honorable Court rightfully annulled the protective order on September 17, 2026. What remains is a stalking petition built on a School Board complaint and public posts, filed by a teacher whose employer had just agreed to review her conduct. The Petition alleges no following, no presence at Petitioner's home or workplace, and no calls, texts, or e-mails to her. Petition at 2. It alleges speech about a public school teacher's public online conduct, and a complaint to her public employer. That is speech and petitioning on a public issue, which Article 971 protects. Petitioner cannot show a probability of success, and the Petition should be stricken, with attorney's fees and costs awarded to Dr. Matthews under La. C.C.P. art. 971(B).

II. BACKGROUND FACTS

This case began as an online insult and became a school board complaint. Dr. Candice Matthews is a civil rights activist and author whose life's work is publicly confronting institutions. Allison Edwards is a public sixth-grade math teacher in the Plaquemines Parish public school system. In the days before July 8, 2026, Edwards joined an online pile-on that branded Dr. Matthews a fraud. Dr. Matthews did what her work has always taught her to do: she documented the statements and took them to the institution responsible for Edwards. Within two days, Edwards was in this Court asking that Dr. Matthews be silenced. The chronology below frames the events, and the narrative that follows tells them:

Date	Event	Record
Before 7/8/26	Aubrey Taylor posts a "FRAUD ALERT" about Dr. Matthews. Petitioner comments: "lol she told me she was a principal" and calls Dr. Matthews a "con artist."	Exs. E-1, E-2, E-3
7/8/26	Dr. Matthews e-mails the School Board requesting review of Petitioner's public online conduct. That evening, Petitioner begins recording Dr. Matthews's posts (P-1, P-3, per file names).	Exs. D-1, J-1, J-3
7/9/26	School Board Director of Human Resources responds: the complaint "will be reviewed and investigated."	Ex. D-2
7/10/26	Petitioner records more posts at 7:12 and 7:14 a.m. (P-4, P-2), files for protection from stalking, and obtains a TRO the same day, "without a hearing."	Petition; Exs. J-2, J-4, L
7/23/26	Petitioner presents her evidence; Permanent Protective Order signed, restricting Dr. Matthews's speech.	Permanent Protective Order
9/17/26	Court annuls the TRO and Permanent Protective Order. No protective order exists.	Court record

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Dr. Matthews built her public life on a plain conviction: that activism is lived experience, not theory. Candice Matthews, *Activism 101: Turning Outrage Into Action* 1 (2026) (hereinafter "*Activism 101*"). She is a nationally recognized civil rights activist and advocate, known for organizing grassroots movements and holding institutions accountable. Her work began where the problems are, with families living in unsafe conditions, in housing with mold, broken plumbing, and water outages, who reported the same problems again and again with no response. Nothing changed until they organized, documented the problems, and applied pressure. She learned what that work costs. Advocates are misunderstood and talked about, and the institutions they confront have the power to try to discredit, silence, or retaliate, including through legal threats and lawsuits.

Dr. Matthews's advocacy has taken her from the street to the halls of power. She has led protest efforts in Austin alongside commentator Roland Martin. She has stood with Reverend Jesse Jackson and other advocates demanding justice in the Darryl George case. She has met with U.S. Congresswoman Sylvia Garcia to press community concerns, and she has stood with Haitian refugees in Houston. She has also served the homeless community in downtown Houston, and she has taken her message to the Houston Chronicle. In each setting her work is the same: public, in front of institutions, and about people the institutions had failed to hear.

Her method is as consistent as her message. "Systems rarely move on their own. They move when people demand accountability." *Activism 101* at 2. So, Dr. Matthews documents first, gathering "records, screenshots, statements, or other forms of evidence that verify the concerns being raised" before an issue goes public. *Id.* at 46. Then she takes the matter to the institution responsible, and to the public. Her press conferences are held "directly outside courthouses, city halls, or government buildings," because "[h]olding a press conference in front of the institution responsible for addressing the issue sends a powerful visual message that accountability is being demanded." *Id.*

Social media is part of that method, not a departure from it. Platforms like Facebook and Instagram "allow movements to reach large audiences quickly." *Id.* For Dr. Matthews, speaking publicly about an institution is the work itself, and her creed fits in a sentence: "silence protects systems—not people." *Id.* at 6. It is a creed she has carried into every situation she has confronted.

It was this woman, an educator and advocate who has built a career on speaking up, whom Edwards chose to mock. Before Dr. Matthews said anything about her, a third party, Aubrey Taylor, published a post headed "FRAUD ALERT" that attacked Dr. Matthews. Ex. E-2. Edwards

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did not stay out of it. She commented: "lol she told me she was a principal," followed by a laughing emoji. Ex. E-2. Twelve people reacted to her comment, and Taylor answered her: "Allison Edwards, all of her lies are going to be fully exposed." *Id.* Edwards also commented that Dr. Matthews is a "con artist." Ex. E-1. Her other comments, including that she was "messaging you" and a remark about a Texas Education Agency matter, show a participant in the thread, not a bystander. Ex. E-3.

On July 8, 2026, Dr. Matthews e-mailed the Plaquemines Parish School Board a "Formal Complaint Requesting Investigation into Employee Misconduct and Professional Conduct," attaching screenshots of Edwards's comments and asking the District to review Edwards's public conduct "for potential violations of the district's professional standards, code of ethics, social media policies, and any other applicable employment policies." Ex. D-1. A day later, the District's Director of Human Resources replied that the matters raised "will be reviewed and investigated in accordance with the Plaquemines Parish School Board's policies and procedures," and that the information "will be given appropriate consideration." Ex. D-2. Dr. Matthews also published a Public Statement. "As an educator, Allison Edwards holds a position of public trust," it began, and it asked the Board "to conduct a fair and impartial review of Ms. Edwards' public online conduct to determine whether it is consistent with the district's professional expectations and policies." Ex. D-3. She left the outcome to the District: "I trust the district will evaluate the facts and documentation and take whatever action it deems appropriate under its policies." *Id.* Local media reported the complaint on July 10, 2026.

Dr. Matthews also spoke on social media, as she always has. Her posts named Edwards as the commenter and announced the complaint, with statements such as "Allison your actions have consequences!!!! Especially lying on me!!!! Stay Tuned!!!!" Ex. E-4. In context, the "consequences" were the School Board's review of the complaint she had just filed, and the District confirmed that review the next day. Exs. D-2, E-4. Dr. Matthews did not disclose Edwards's home address. Edwards's residence information is readily available online, and the only address-related material in the record shows the street numbers redacted. Ex. E-4.

On July 10, 2026, two days after the complaint and one day after the District's reply, Edwards filed a Petition for Protection from Stalking.. The most recent incident it identifies is "July 8, 2026," the day of the complaint. Petition at 3. She checked the boxes for "harassed," "implied or threatened," "stalked," and "messages via third party/public posts," and left unchecked

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"following," "presence," and "calls/texts/emails." Petition at 2. She swore to an "immediate and present danger of stalking." Petition at 4. This Court issued a TRO that day "without a hearing," which asked for counseling and fees and ran through July 23, 2026. Edwards's screen recordings, by their file names, were captured on the evening of July 8 and the morning of July 10. Exs. J-1 to J-4.

On July 23, 2026, Edwards presented her evidence, and a Uniform Abuse Prevention Order issued that restricted Dr. Matthews's speech. Permanent Protective Order at 3, 5. Dr. Matthews moved to annul under La. C.C.P. art. 2002(A)(2) and La. R.S. 13:3205, and on September 17, 2026, this Honorable Court granted the motion.

III. LAW & ARGUMENT

Applicable Law

Louisiana Code of Civil Procedure article 971 "was enacted by the legislature as a procedural device to be used early in legal proceedings to screen meritless claims pursued to chill one's constitutional rights under the First Amendment of the United States Constitution to freedom of speech and press." *Cantrell v. Breaud*, 2024-0716, p. 5 (La. App. 4 Cir. 6/9/25), 421 So.3d 192, 196 (quoting *Perniciaro v. McInnis*, 19-67 (La. App. 5 Cir. 4/1/20), 293 So.3d 1144, 1152). In enacting Article 971, the Legislature declared that "there has been a disturbing increase in lawsuits brought primarily to chill the valid exercise of the constitutional rights of freedom of speech and petition for redress of grievances," and directed that the Article "shall be construed broadly." *Shelton v. Pavon*, 2017-0482, p. 12 (La. 10/18/17), 236 So.3d 1233, 1238. Article 971(A)(1) provides:

> A cause of action against a person arising from any act of that person in furtherance of the person's right of petition or free speech under the United States or Louisiana Constitution in connection with a public issue shall be subject to a special motion to strike, unless the court determines that the plaintiff has established a probability of success on the claim.

A motion to strike under La. C.C.P. art. 971 presents a question of law. *Yount v. Handshoe*, 14-919, p. 5 (La. App. 5 Cir. 5/28/15), 171 So.3d 381, 384. In making its determination, "the court shall consider the pleadings and supporting and opposing affidavits stating the facts upon which the liability or defense is based." La. C.C.P. art. 971(A)(2). The Article defines protected acts to include, *inter alia*: "(a) [a]ny written or oral statement or writing made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law"; "(b) [a]ny written or oral statement or writing made in connection with an issue under consideration or review

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by a legislative, executive, or judicial body, or any other official body authorized by law"; "(c) [a]ny written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest"; and "(d) [a]ny other conduct in furtherance of the exercise of the constitutional right of petition or the constitutional right of free speech in connection with a public issue or an issue of public interest." La. C.C.P. art. 971(F)(1)(a)-(d).

Article 971 establishes a two-step, burden-shifting framework. The defendant must first make a *prima facie* showing that the cause of action arises from an act in furtherance of her right of petition or free speech in connection with a public issue; if that burden is met, the burden shifts to the plaintiff to establish a probability of success on the claim. *See Jones v. St. Augustine High Sch., Inc.*, 21-0474, p. 8 (La. App. 4 Cir. 2/16/22), 336 So.3d 470, 476-77 (citing *Melius v. Keiffer*, 07-0189, p. 3 (La. App. 4 Cir. 3/12/08), 980 So.2d 167, 171). "[A] prevailing party on a special motion to strike shall be awarded reasonable attorney fees and costs," La. C.C.P. art. 971(B), and "[a]ll discovery proceedings in the action shall be stayed upon the filing of a notice of motion." La. C.C.P. art. 971(D).

A motion to strike arising under La. C.C.P. art. 971 is identified as an anti-SLAPP motion. The nature of an anti-SLAPP motion explains why it is decided early and, on the evidence, rather than on the pleadings. A SLAPP, or strategic lawsuit against public participation, is a claim whose real object is not victory on the merits but the cost, delay, and fear that litigation imposes on a person who has spoken or petitioned. *See Yount v. Handshoe*, 171 So.3d at 387-88 (reasoning that SLAPP suits are filed because of their communications to a government body, or the electorate on an issue of some public interest or concern). The Legislature therefore did not leave the defendant to endure the case until trial. Article 971 requires the plaintiff to come forward at the outset with evidence of a probability of success, stays discovery so that the process itself cannot become the punishment, and makes fees mandatory so that the cost of an unfounded claim falls on the party who brought it. La. C.C.P. art. 971(A)(1)-(2), (B), (D). The plaintiff's allegations alone do not carry that burden. A petition for a protective order that is aimed at speech, and that asks the court to silence the defendant for ten (10) years, is the chilling of protected expression.

A petition for protection from stalking is governed by La. R.S. 46:2171 *et seq.*, which incorporates the procedures of the Domestic Abuse Assistance Act. La. R.S. 46:2173. A protective order issues only upon a preponderance of the evidence to bring about a cessation of abuse. La. R.S. 46:2136(A). Stalking is "the intentional and repeated following or harassing of another person

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that would cause a reasonable person to feel alarmed or to suffer emotional distress." La. R.S. 14:40.2(A). "Harassing" is defined as a "repeated pattern of verbal communications or nonverbal behavior without invitation [for contact], which includes but is not limited to making telephone calls, transmitting electronic mail, sending messages via a third party, or sending letters or pictures." *See Patterson v. Charles*, 2019-0333, p. 9 (La. App. 4 Cir. 9/11/19), 282 So.3d 1075, 1083 (citing La. R.S. 14:40.2(C)(1)); *see also Rodriguez v. Claassen*, 2016-0610, p. 3 (La. App. 4 Cir. 12/21/16), 207 So.3d 490, 493. A petition under these provisions is a cause of action that asks the Court to restrain a person's speech. When, as here, it arises from acts in furtherance of the right of petition or free speech in connection with a public issue, it is subject to a special motion to strike under Article 971 – thereby resulting in the Petitioner's duty to establish a probability of success on her claim. *See* La. C.C.P. art. 971(A)(1).

Argument

I. Defendant's Complaint to the School Board and Her Public Statements Are Acts in Furtherance of Her Rights of Petition and Free Speech in Connection with a Public Issue.

A. Petitioner's own public accusations made this a "public issue".

The record shows that Petitioner entered the public arena of her own accord. Petitioner commented upon a public "FRAUD ALERT" post, published by Aubrey Taylor, that drew public attention; publicly remarked that Defendant "told me she was a principal"; and publicly characterized Defendant as "a con artist." These are statements concerning Defendant's honesty and qualifications, made before a public audience, in a controversy that third parties, including Mr. Taylor, were likewise conducting in the open. Defendant's responses formed part of the same discourse. Whether Defendant's responses were prudent or courteous is not the relevant inquiry; the inquiry is whether they constituted speech in connection with a public issue, with which a public controversy concerning the credentials of a nationally renowned activist mocked by Petitioner, is such an issue.

It is notable that the order silenced only Defendant and left Petitioner at liberty to continue to mock, humiliate, and label Defendant as "a con artist." Permanent Protective Order at 3, 5. An order restraining only one participant in a public debate is indicative of the true nature of the proceeding. To the extent Petitioner's status is relevant, it is her conduct that controls. A person who voluntarily enters a public controversy to influence its outcome has, at a minimum, rendered that controversy public. *Cf. Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 345 (1974) (recognizing that individuals who "thrust themselves to the forefront of particular public controversies in order

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to influence the resolution of the issues involved" are public figures for that limited range of issues). Defendant need not rely upon that doctrine, as Article 971 turns upon the issue and not upon a label – it illustrates that Petitioner cannot join a public debate and thereafter invoke a protective order to silence the person who responded.

B. Measured by its subject matter, Defendant's speech concerns a public issue.

The threshold question is not whether Petitioner is a "public figure." Defendant does not so contend, and Article 971 does not so require.[1] The Article asks whether the acts were undertaken "in connection with a public issue," or, as to statements made in a public forum, "an issue of public interest." La. C.C.P. art. 971(A)(1), (F)(1)(c). The Louisiana Supreme Court has held that even a statement made to an official body must be "in connection with a public issue," and has looked to the federal definition of speech "relating to any matter of political, social, or other concern to the community." *Shelton*, 2017-0482, p. 13, 236 So.3d 1233 (quoting *Connick v. Myers*, 461 U.S. 138, 146 (1983)). The United States Supreme Court has further instructed that speech is of public concern when it is "a subject of legitimate news interest," and that the determination depends upon the "content, form, and context" of the speech as revealed by the whole record. *Snyder v. Phelps*, 562 U.S. 443, 453-54 (2011). Because Article 971 must be "construed broadly," the inquiry properly focuses upon the subject matter of Defendant's speech.

Measured that way, Defendant's speech was plainly public. She asked the Plaquemines Parish School Board to review whether a public school teacher was meeting its professional standards, and she discussed that request in a public forum, in a controversy Petitioner had already joined. The School Board agreed to investigate. Under *Snyder*, the "content, form, and context" of that speech show a matter of concern to the community. That Petitioner and Defendant are acquainted, or related, does not change what the speech was about.

C. The speech concerns the public schools, not a private dispute.

Defendant's complaint to the School Board, and her public statements regarding it, questioned whether a public-school teacher, compensated with public funds and entrusted with public school children, was meeting her employer's professional standards, code of ethics, and social media policies in her public communications. The United States Supreme Court has long recognized the operation of the public schools as a matter of legitimate public concern upon which

[1] Article 971 does not use the phrase "public figure." The statute asks whether the challenged claim arises from an act "in connection with a public issue." La. C.C.P. art. 971(A)(1), (F)(1). Defendant's argument therefore rests on the public-issue nature of the speech, not on any label applied to Petitioner.

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the same public issues require free and open debate and informed decision-making by the community. *Pickering v. Board of Education*, 391 U.S. 563, 571-72 (1968).

Louisiana courts, moreover, identify suits brought by teachers against their critics as a paradigmatic example of the public issues Article 971 was enacted to address. In *Yount v. Handshoe*, 14-919, pp. 7-11 (La. App. 5 Cir. 5/28/15), 171 So.3d 381, 387-88, *writ denied*, 15-2302 (La. 2/19/16), 187 So.3d 462,[2] the Fifth Circuit explained that anti-SLAPP suits "consist of a civil complaint or counterclaim (for monetary damages and/or injunction) filed against non-governmental individuals and/or groups because of their communications to a government body, or the electorate on an issue of some public interest or concern," and that "[t]ypical examples of SLAPP suits include cases brought by . . . police, teachers, and other public officials and employees against their critics." In the case *sub judice*, Petitioner, a public school teacher, seeks an injunction against a non-governmental individual by reason of that individual's communications to a government body and to the public. This case presents a public issue that falls within the scope Yount describes.

Petitioner cannot defeat SLAPP by calling the dispute purely private. In *Shelton v. Pavon*, 2017-0482, p. 13 (La. 10/18/17), 236 So.3d 1233, the court found that a physician's suit to nullify a change of beneficiary on his late wife's life insurance policy was a private dispute involving private parties, and not a matter of public concern or significance.[3] The constitutional free speech protections of Article 971 did not apply. Petitioner will undoubtedly point to her own public statement that Defendant "happens to be my kids aunt," and to the "acquaintance" selection on the protective order form. *Shelton*, however, turns upon the nature of the issue, and not upon whether the speakers are acquainted. A life insurance beneficiary designation is private in every respect,

[2] In *Yount v. Handshoe*, 14-919 (La. App. 5 Cir. 5/28/15), 171 So.3d 381, a blogger republished a minor's drawing that had been filed under seal in his father's divorce case, and the father sued for defamation and invasion of privacy. The blogger invoked Article 971, but the Fifth Circuit refused to strike the suit. It read Article 971(F)(1)(b) to require "a public issue under consideration by a legislative, executive, judicial or other authorized government body," and it held that a private divorce was "a private domestic matter, not a matter of public significance." *Id.* at 390. Here, the School Board has confirmed that Petitioner's public conduct "will be reviewed and investigated," which makes it an issue under consideration by an official body. Thus, the allegations forming Petitioner's application for protective order and Defendant's complaint to the School Board are matters of public significance, and not a private domestic matter as set forth in *Yount*.

[3] In *Shelton v. Pavon*, 2017-0482 (La. 10/18/17), 236 So.3d 1233, a physician sued to nullify his late wife's change of her life-insurance beneficiary to her personal assistant, who countered with a defamation claim over what he had alleged. The physician invoked Article 971, arguing that statements made in a court filing are automatically protected. The Louisiana Supreme Court disagreed. It held that even statements made before an official body must still be "in connection with a public issue," borrowing the federal test of speech "relating to any matter of political, social, or other concern to the community." *Id.* (citing *Connick v. Myers*, 461 U.S. 138, 146 (1983)). A dispute over a life-insurance beneficiary was "a private dispute involving private parties, and not a matter of public concern or significance," so the motion failed and the fee award went to the other side. Here, by contrast, Defendant's complaint asked a public employer to review a public school teacher's public conduct, and the School Board agreed to do so.

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but a teacher's compliance with a public school board's professional standards, and a public controversy over an activist's credentials, are public issues for purposes of anti-SLAPP. A familial connection does not transform speech on those subjects into a private matter, any more than it would divest a citizen of the right to petition a public body regarding a relative employed by it.

D. Defendant's complaint and public statements fall within the meaning of Article 971(F)(1).

Defendant's complaint to the School Board constitutes a "written . . . statement or writing made before a . . . executive . . . proceeding, or any other official proceeding authorized by law," La. C.C.P. art. 971(F)(1)(a), and a statement "made in connection with an issue under consideration or review by" an "official body authorized by law." La. C.C.P. art. 971(F)(1)(b). The District's response confirms that the matter was, in fact, under review: it "will be reviewed and investigated." For the reasons set forth above, the complaint was made in connection with a public issue, as set forth in *Shelton*. Defendant's Public Statement and her posts constitute statements "made in a place open to the public or a public forum in connection with an issue of public interest," La. C.C.P. art. 971(F)(1)(c), and "conduct in furtherance of the exercise of the constitutional right of petition . . . or . . . free speech in connection with a public issue." La. C.C.P. art. 971(F)(1)(d). Defendant's remaining posts likewise responded, in the same public forum, to Petitioner's own public statements about Defendant.

In *Cantrell v. Breaud*, 2024-0716 (La. App. 4 Cir. 6/9/25), 421 So.3d 192, Mayor LaToya Cantrell petitioned for protection from stalking under La. R.S. 46:2171, *et seq.*, alleging that Anne Breaud "had followed her, harassed her and was an uninvited presence" after Ms. Breaud photographed her and a member of her security detail from Ms. Breaud's own balcony. A temporary restraining order issued. Ms. Breaud moved to strike under Article 971, and the district court granted the motion and awarded her $15,393.52 in attorney's fees and costs. The Fourth Circuit affirmed. It rejected the argument that Article 971 "only contemplates an oral or written speech element" as "unduly narrow," recognized the public's right to record matters of public interest, and held that Ms. Breaud's activities were protected by the First Amendment. It then held that the petition was designed to suppress, restrain and prohibit her constitutional rights and that it was unlikely that Mayor Cantrell's stalking petition against Ms. Breaud would be successful. Because Article 971(B) is mandatory, it awarded another $8,000.00 in fees for the appeal.

The same analysis applies here, on stronger facts. Ms. Breaud's protected activity was non-verbal conduct, a photograph taken near the petitioner. Defendant's is speech and petitioning in

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the most ordinary sense: a written complaint to a public body about a public employee, and public statements in the debate that followed. And where Mayor Cantrell could not show a probability of success against a respondent close enough to photograph her, Petitioner cannot show one against a Defendant who lives in another state and is not alleged to have approached, followed, or contacted her. Petition at 2. The relief Petitioner obtained, a ten-year order forbidding further mention of a public employee, illustrates the suppression the court identified in *Cantrell*. If a petition could obtain that against a citizen who complains to a public body and then joins the public debate, Article 971 would mean little.

Every act of which Petitioner complains falls within the meaning of Article 971(F)(1). The complaint to the School Board is a statement made before an official body and in connection with an issue under its review. Defendant's Public Statement and her posts are speech in a public forum on an issue of public interest. And her replies answered accusations that Petitioner herself had published to the same audience. The subject matter in each is the same: whether a public school teacher was meeting her employer's professional standards, and whether a public controversy about an activist's credentials was being fairly aired. As in *Cantrell*, the Petition seeks to turn a stalking statute against expression the Constitution protects, and the nature of the speech, not the identity of the speakers, decides whether Article 971 applies. Defendant has therefore carried her burden at the first step, and the burden shifts to Petitioner to show a probability of success on her claim. La. C.C.P. art. 971(A)(1).

II. Petitioner Cannot Establish a Probability of Success on Her Claim.

As previously set forth supra, Louisiana courts interpret Article 971 as requiring a two-part, burden-shifting analysis. *Yount v. Handshoe*, 14-919 (La. App. 5 Cir. 5/28/15), 171 So.3d 381, 385-86 (citing *Thomas v. City of Monroe*, 36,526 (La. App. 2 Cir. 12/18/02), 833 So.2d 1282; *Aymond v. Dupree*, 05-1248 (La. App. 3 Cir. 4/12/06), 928 So.2d 721). Where speech forms the basis of the claim, the mover must first show that the claim "arises from an act by [her] in exercise of [her] right of petition or free speech under the United States or Louisiana Constitution in connection with a public issue." *Id.* (citing *Thinkstream, Inc. v. Rubin,* 06-1595 (La. App. 1 Cir. 9/26/07), 971 So.2d 1092, 1100). Defendant has made that showing. If the mover makes a prima facie showing that her statements were constitutionally protected and in connection with a public issue, "the burden shifts to the plaintiff to demonstrate a probability of success on the claim." *Id.* at 386. Where the petition rests on several distinct acts, the court examines each, and the motion

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fails only if Petitioner can show a probability of success on at least one. *Id.* (citing *Darden v. Smith*, 03-1144 (La. App. 3 Cir. 6/30/04), 879 So.2d 390, 397; *Melius v. Keiffer*, 07-0189 (La. App. 4 Cir. 3/12/08), 980 So.2d 167, 172). Petitioner cannot show a probability of success for the following reasons:

A. On Petitioner's own account, every act alleged is speech.

Petitioner's own Petition confines the case to speech. On the form, Petitioner left unmarked every selection describing following; uninvited presence at her home, workplace, school, or other places; and telephone calls, texts, or emails to her. Petition at 2. Her narrative describes online posts and an email to the School Board, the most recent "incident" being July 8, 2026, the day of the complaint. Petition at 3. Petitioner will contend that public posts constitute "messages via a third party." Harassment, however, requires a "repeated pattern of verbal communications or nonverbal behavior without invitation," directed at the person; public commentary in a public controversy that Petitioner herself elected to enter is not such conduct. Construing the statute to reach every public post that names an individual would raise grave concerns under the First Amendment and La. Const. art. I, § 7, and the statute should not be so construed.

The statute requires conduct "that would cause a reasonable person to feel alarmed or to suffer emotional distress." La. R.S. 14:40.2(A). Petitioner's own public conduct is difficult to reconcile with that standard. A person genuinely in fear of another does not ordinarily seek her out in other persons' comment threads, advise that person's public critic that she is "messaging" him, and publicly denounce her as "a con artist" before strangers. Defendant does not contend that Petitioner forfeited protection by speaking. The point is narrower: on this record, what occurred is a reciprocal exchange between two individuals on social media concerning credentials and conduct, and the stalking statute is not an instrument for refereeing such an exchange.

Petitioner's inaction since the annulment points the same way. The orders were annulled on September 17, 2026, and the docket reflects no new application for a temporary restraining order or other emergency relief in the weeks since. Defendant acknowledges that a temporary restraining order is not a prerequisite to a hearing on a protective order, and that La. R.S. 46:2135(A) provides that there is "no requirement that the abuse itself be recent, immediate, or present." Defendant does not argue otherwise. The point is one of weight. A protective order serves a forward-looking purpose, "to bring about a cessation of abuse," La. R.S. 46:2136(A), and the stalking statute asks whether the conduct would cause a reasonable person to feel alarmed or

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emotional distress. La. R.S. 14:40.2(A). A petitioner who professes such alarm and then, once the restraints are lifted, asks for no protection of any kind, has supplied her own evidence that the alarm is not what she says it is. It is nothing more than an abuse of a protective order.

B. The specific allegations of the Petition do not show a probability of success.

The School Board email and its response.

Petitioner alleges that Defendant "stalked my workplace through an email to the human resource department of Plaquemines Parish School Board" and thereafter posted the email and the response. Petition at 3. The email is of record. It is a measured complaint addressed to the District's Director of Human Resources, requesting that the District review a teacher's public conduct under its own policies, and the District responded that it would do so. Such a communication is a written statement to an official body, La. C.C.P. art. 971(F)(1)(a)-(b), and not an "uninvited presence" at a workplace, a selection Petitioner left unmarked. Petition at 2. Publication of correspondence with a public body regarding a public employee's conduct is speech on a public issue.

The "background check."

Petitioner alleges that Defendant posted a "background check" including her "social," address, and "teaching credentials." Petition at 3. A public school teacher's certification and employment history concern her qualifications for a public trust and are matters of public concern. Defendant did not publish Petitioner's home address, which is readily available online, and the street numbers in the version posted were redacted. Neither the Petition nor any exhibit alleges that Defendant employed any identifier to contact, locate, or approach Petitioner.

The videos.

Petitioner alleges that Defendant created videos "speaking of my character in demeaning ways" and "collaborated with others." Petition at 3. Harsh, even insulting, commentary in a public forum concerning a person who has entered a public controversy is protected speech, and the circumstance that a listener finds it demeaning does not render it stalking. *See, e.g., Snyder*, 562 U.S. 443, 453, 131 S.Ct. 1207, 1216 (citing *Rankin v. McPherson*, 483 U.S. 378, 387, 107 S.Ct. 2891, 97 L.Ed.2d 315) (finding that "[a] statement's arguably 'inappropriate or controversial character' . . . is irrelevant to the question whether it deals with a matter of public concern"). To the extent any statement was false, the remedy lies in the law of defamation, subject to its constitutional limits, and not in a ten-year protective order.

The "grim reaper" image and "Revenge . . . Best Served Cold."

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Petitioner alleges that Defendant posted a grim reaper image adjacent to the School Board email bearing those words. Petition at 3. The First Amendment permits a State to punish speech as a true threat only upon proof that the speaker consciously disregarded a substantial risk that the communication would be viewed as threatening violence. *Counterman v. Colorado*, 600 U.S. 66, 69, 143 S.Ct. 2106, 2111 (2023). The Petition does not allege such awareness, does not identify any violence threatened, and does not allege that the image or phrase was directed to Petitioner rather than published publicly alongside a School Board email.

"I know where you live and work."

Petitioner alleges that Defendant posted "their grandfather's address" and stated "I know where you live and work." Petition at 3. Even read as Petitioner reads it, the statement is not a true threat. The First Amendment permits punishment of a threat only where the speaker consciously disregarded a substantial risk that the words would be viewed as threatening violence. *Counterman*, 600 U.S. at 69, 143 S.Ct. at 2111. The statement threatens no act. The Petition identifies no violence, no demand, and no visit, approach, or contact at any address in the weeks that followed. Petition at 3. A statement that one knows where a public employee works, made in a public controversy over her workplace conduct, is not a serious expression of intent to commit violence.

Reactions from the public.

Petitioner alleges that members of "the public" sent her "unwarranted messages" and friend requests. Petition at 3. The statute reaches only the respondent's own conduct. It requires that Defendant "intentional[ly]" follow or harass Petitioner, La. R.S. 14:40.2(A), and the Petition identifies no message, request, or contact that Defendant sent, no instruction by Defendant to anyone to contact Petitioner, and no knowledge by Defendant of any such contact. Strangers who read a public thread are not Defendant's agents, and their messages cannot be attributed to her. The record also shows how the contact arose. Petitioner placed herself in front of that audience, replying to Aubrey Taylor's "FRAUD ALERT" post and answering other commenters by name. She wrote to one commenter that she was "messaging" him. A person who joins a public thread of hundreds of strangers, and who herself writes to participants by name, cannot treat the replies she draws as the harassment of someone else. The statute requires conduct by Defendant, and Petitioner offers only the consequences of her own public participation.

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Taken one at a time, none of Petitioner's allegations carries her burden, and taken together they describe a single thing: speech. The School Board e-mail is a complaint to a public body. The "background check" concerns a public school teacher's credentials. The videos are commentary in a public controversy that Petitioner entered. The image and the remark about "where you live and work" are published words, not threats, and the Petition does not allege that any was made with awareness of a substantial risk of being understood as threatening violence. *Counterman*, 600 U.S. 66. The messages from strangers are not Defendant's conduct. And across every allegation, the Petition describes no following, no presence at Petitioner's home or workplace, and no call, text, or e-mail from Defendant to Petitioner. Petition at 2. Stalking under La. R.S. 14:40.2 requires conduct that would cause a reasonable person to feel alarmed or to suffer emotional distress. Public commentary about a public employee's conduct, in a controversy she joined, is not that conduct. Petitioner has not shown a probability of success on any allegation, and the motion must be granted.

C. Petitioner started the exchange, then asked this Court to shield her from review.

Petitioner's own papers show when she came to court. The most recent "incident" she identifies is July 8, 2026, the day Defendant e-mailed the School Board. Petition at 3. The Director of Human Resources replied on July 9 that the complaint "will be reviewed and investigated," and Petitioner, who alleges that Defendant posted that reply, Petition at 3, filed on July 10. She identifies no incident after the complaint, and none that involved following, presence, or contact. Petition at 2. What she describes instead is her employer's decision to review her conduct, followed within a day by this Petition.

The sequence of events laid out *supra* bears directly on Petitioner's burden. To show a probability of success, she must show conduct that would cause a reasonable person to feel alarmed or suffer emotional distress. La. R.S. 14:40.2(A). A petitioner who files within a day of her employer agreeing to review her conduct invites the question whether the alarm she describes is what brought her here, and her own papers supply no other answer. The stalking statute protects people from abuse. It was not enacted to give a public employee an order against the person who

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complained about her conduct, and using it that way misuses this Honorable Court's protective-order powers. Petitioner has not shown a probability of success, and the Petition should be stricken.

III. Defendant Is Entitled to Attorney's Fees and Costs.

Article 971(B) leaves this Honorable Court no discretion: "a prevailing party on a special motion to strike shall be awarded reasonable attorney fees and costs." La. C.C.P. art. 971(B). The Legislature made the award mandatory so that those who speak on public issues are not made to pay for the privilege of defending themselves. A defendant who meets her burden at the first step and defeats the plaintiff at the second is therefore entitled to fees as a matter of law, and the Court's only remaining task is to fix a reasonable amount.

Louisiana courts apply the provision as written. In *Cantrell*, the district court awarded the respondent $15,393.52 in attorney's fees and costs after granting her special motion to strike a stalking petition. On appeal, the Fourth Circuit awarded another $8,000.00 for the appeal, holding that "[c]onsidering the mandatory language of La. C.C.P. art 971(B), we are bound to award" fees. *Cantrell*, 421 So.3d at 196. The same rule applies here.

Defendant has already paid a price that Article 971 exists to prevent. She sent one written complaint to a public employer and spoke publicly about it. Two days later, Petitioner obtained a temporary restraining order against her without a hearing, and after the July 23 hearing, a protective order that barred her from speaking about a public school teacher for ten (10) years. Permanent Protective Order at 3, 5. Defendant lives in Texas, and to undo that order she had to retain Louisiana counsel and move to annul it, which this Honorable Court granted on September 17, 2026. Petitioner then proceeded to a hearing on a permanent order, and Defendant was forced to prepare and file this motion. That is the burden Article 971(B) shifts back to the party who brought the claim. Because the Petition arises from protected speech and Petitioner cannot show a probability of success, Defendant is the prevailing party, and she requests the fees and costs incurred in bringing this motion, together with those incurred in any appeal or writ, supported by a fee affidavit and contemporaneous billing records, and asks that this Honorable Court set a hearing to fix the amount or, alternatively, a reasonable date for submitting evidence of the same.

IV. CONCLUSION

Petitioner publicly called Dr. Matthews a con artist and joined a post accusing her of fraud. Dr. Matthews answered, and she took her complaint through the proper channel, a written request that Petitioner's employer, Plaquemines Parish School Board, review Petitioner's public conduct.

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The School Board agreed to do so. The next day, Petitioner came to this Court and obtained, without a hearing and without the notice the law requires, orders that restrained Dr. Matthews's speech for ten years. This Honorable Court properly annulled them on September 17, 2026.

Article 971 is Louisiana's anti-SLAPP statute, and it exists for this case. A SLAPP is a suit brought to silence a person who has spoken or petitioned on a public issue, and the Legislature's answer is to move the burden to the party who brought it. Dr. Matthews has shown that the Petition arises from her exercise of the right of petition and free speech on a public issue, and the burden has shifted to Petitioner. Petitioner has not carried it. Her own evidence shows speech on a public issue, in answer to her own public accusations, with no following, no presence at Petitioner's home or workplace, and no contact. A protective-order petition aimed at a citizen's complaint to a public body is a SLAPP in everything but its label, and the statute does not allow it to succeed.

For these reasons, Dr. Matthews respectfully requests that this Honorable Court grant her Special Motion to Strike, dismiss the Petition with prejudice, and award her reasonable attorney's fees and costs under La. C.C.P. art. 971(B), as the mandatory language of that article requires.

PRAYER FOR RELIEF

WHEREFORE, Defendant, Dr. Candice Matthews, prays that there be judgment in her favor and against Petitioner, Allison Edwards: (1) granting the Special Motion to Strike under La. C.C.P. art. 971; (2) dismissing the Petition with prejudice; (3) awarding Dr. Matthews reasonable attorney's fees and costs under La. C.C.P. art. 971(B), in an amount to be fixed at a subsequent hearing; (4) casting Petitioner with all costs of these proceedings; and (5) granting all general and equitable relief.

Respectfully submitted,

KAMAL PACKER, ESQ. LLC

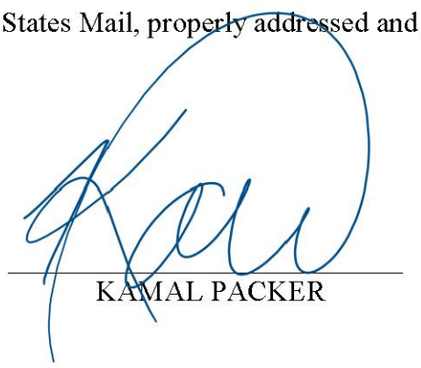


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been forwarded to all counsel of record and to all self-represented parties, by electronic mail, facsimile, hand delivery, or by placing a copy of same in the United States Mail, properly addressed and postage prepaid, this 4th day of November, 2026.



KAMAL PACKER

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