

CAUSE NO. 26-000495-CV-472

JOHNNY MANZIEL	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
v.	§	
	§	<u>472</u> JUDICIAL DISTRICT
MAKENZIE CARTER <i>aka</i>	§	
MAKENZIE CALAME	§	
	§	
<i>Defendant.</i>	§	BRAZOS COUNTY, TEXAS

**PLAINTIFF’S ORIGINAL PETITION AND  
EMERGENCY EX PARTE APPLICATION FOR TEMPORARY RESTRAINING  
ORDER AND INJUNCTIVE RELIEF**

COMES NOW Plaintiff Johnny Manziel (“Manziel”), and files this Plaintiff’s Original Petition and Emergency Ex Parte Application for Temporary Restraining Order and Injunctive Relief against Defendant MaKenzie Carter a/k/a MaKenzie Calame (“Defendant”; together with Manziel, the “Parties”) and would respectfully show the Court as follows:

**I.  
DISCOVERY CONTROL PLAN AND RULE 47 STATEMENT**

1. Pursuant to Rule 190.4 of the Texas Rules of Civil Procedure, Manziel intends to conduct discovery under a Level 3 Discovery Control Plan. For purposes of Rule 47 of the Texas Rules of Civil Procedure, Manziel asserts that he seeks monetary relief of \$250,000 or less and non-monetary relief. Manziel reserves the right to amend this assertion in the event such a need arises during discovery or otherwise.

**II.  
PARTIES**

2. Plaintiff Johnny Manziel is an individual currently residing in Maricopa County, Arizona. Manziel may be served with all pleadings in this matter through his counsel of record –

Aron D. Hutchins – of Holt & Hutchins, PLLC, 100 N Parker Avenue, Suite 112, Bryan, Texas 77803.

3. Defendant MaKenzie Carter a/k/a MaKenzie Calame is an individual who resides at 1311 McQueeney Drive, College Station, Texas 77845. Defendant may be served at the aforementioned address or wherever she may be found. **CITATION AND SERVICE IS REQUESTED AT THIS TIME.**

### **III. JURISDICTION & VENUE**

4. The Court has subject matter jurisdiction over this matter as the amount in controversy is within the jurisdictional limits of this Court. This Court has personal jurisdiction over the Parties as they reside and/or conduct business in Brazos County, Texas.

5. Venue is proper in Brazos County, Texas, pursuant to Texas Civil Practice and Remedies Code § 15.002(a)(1) as Brazos County is the County in which all or a substantial part of the events or omissions giving rise to Manziel's claim occurred. Additionally, venue is proper in Brazos County, Texas pursuant to Texas Civil Practice and Remedies Code § 15.002(a)(2) as Defendant resides in Brazos County, Texas.

### **IV. FACTUAL BACKGROUND**

6. Manziel is a widely recognized public figure whose notoriety arises from his accomplishments as quarterback for Texas A&M University from 2011 through 2013, including winning the Heisman Trophy in 2012. In the years since, Manziel has remained in the public eye and has engaged in various business ventures dependent upon his reputation, goodwill, and professional relationships.

7. At all times relevant hereto, Defendant has engaged in obsessive, erratic, and harassing hallucinations and conspiracies directed at and/or relating to Manziel across multiple

social media platforms including Instagram (@kenz2016 & @aggieleaks), TikTok (@makenzie9375 & @mcalamem812), and Facebook (@MaKenzieCalame). A cursory review of the aforementioned social media handles reveals hours' worth of baseless, unrelated, and entirely fabricated stories about Manziel, as well as his family, his friends, and business colleagues, with absolutely no grounding in fact or reality.

8. While trying to show compassion rooted from his own adversities, Manziel did not initially desire to seek legal redress for or protection from Defendant's actions. Rather, out of empathy and a genuine concern for Defendant's well-being, Manziel hoped that not engaging with Defendant would eventually lead to the simmering of her infatuation with him, and ultimately, the natural conclusion of her obsessive behavior. Alas, and yet again, no good deed goes unpunished.

9. Immediately prior to the filing of this present action, and presumably as a result of Manziel not giving Defendant attention, Defendant's estranged social media blitz escalated into her directly emailing dozens of friends, family members, businesses and individuals with whom Manziel works or is in the process of establishing a formal business relationship with and threatening them with legal action if they "continued" to interfere with her fictitious relationship with Manziel. In repeating her fabricated allegations and conspiratorial claims, Defendant has tortiously interfered with Manziel's existing and prospective business relationships. Some partners have expressed concern and/or confusion because of these communications, causing significant harm to Manziel's business interests and his reputation.

10. As a result of Defendant's actions, and her expressed refusal to cease those actions without a court order, Manziel has suffered substantial injury, in an amount to be proved at trial, in excess of the minimal jurisdictional limits of this Court exclusive of attorney's fees, interests, and costs of court.

**V.**  
**CAUSES OF ACTION**

**COUNT ONE**  
***Defamation***

11. Manziel repeats, reiterates, and re-alleges each and every allegation contained in the preceding paragraphs with the same force and effect as though fully set forth at length herein.

12. Defendant has made oral and written statements to third parties via numerous social media platforms, websites, and messaging platforms containing countless false and defamatory accusations directed at and/or pertaining to Manziel.

13. Defendant's statements are of the nature which tend to cause, and have caused, financial and reputational harm/injury.

14. Defendant's statements have been made negligently and/or with actual malice. Namely, Defendant's statements assert verifiable misstatements of fact and conspiratorial claims which she knew were false or were made with reckless disregard as to their truth, including fabrications of a personal relationship with Manziel and other false accusations involving Texas A&M University and other of Manziel's associates and business partners.

15. Defendant's statements are not protected opinion, fair comment, or privileged reporting as they purport to state provable facts of which are inherently improbable and outright false.

16. Pursuant to TEXAS CIVIL PRACTICE AND REMEDIES CODE Section 73.055 ("TDMA"), Manziel hereby demands a retraction of each and every statement made and/or published which is purports to state provable facts directed at and/or pertains to Manziel on any social media platform, website, or messaging platform owned or controlled by Defendant or as posted or communicated by Defendant. Due to the quantity and length of such statements, each and every statement cannot be described in particularity but includes statements that were created,

sent, posted, or published through Defendant's social media platforms including Instagram (@kenz2016 & @aggieleaks), TikTok (@makenzie9375 & @mcalamem812), Facebook (@MaKenzieCalame) as well as statements from Defendant's messaging platforms including electronic mail (kwknzi@gmail.com).

17. Moreover, Defendant's defamatory conduct towards Manziel has proximately caused Manziel actual damage or loss in an amount to be proved at trial in an amount within the jurisdictional limits of this Court.

### **COUNT TWO**

#### ***Tortious Interference with Existing and Prospective Business Relationships***

18. Manziel repeats, reiterates, and re-alleges each and every allegation contained in the preceding paragraphs with the same force and effect as though fully set forth at length herein.

19. Beyond her social media onslaught, Defendant has threatened numerous people and entities of which Manziel maintains business relationships with or is currently establishing a formal business relationship with.

20. With respect to prospective business relationships, at least one entity has paused and/or delayed entering into a business relationship with Manziel as a result of the Defendant's independently tortious and/or unlawful conduct. Defendant has acted with a conscious desire to prevent the relationship from occurring or knew the interference was certain to prevent the relationship from occurring. Defendant's intentional interference with Manziel's prospective business relationships has proximately caused Manziel actual damage or loss in an amount to be proved at trial in an amount within the jurisdictional limits of this Court.

21. With respect to Manziel's current business relationships, Manziel has entered into at least one contract which Defendant has willfully and intentionally interfered with by contacting Manziel's business partner. Defendant's intentional interference with Manziel's existing business

relationships has proximately caused Manziel actual damage or loss in an amount to be proved at trial in an amount within the jurisdictional limits of this Court.

**COUNT THREE**

***Emergency Ex Parte Application for Temporary Restraining Order***

22. Manziel repeats, reiterates, and re-alleges each and every allegation contained in the preceding paragraphs with the same force and effect as though fully set forth at length herein.

- (1) Manziel, in an emergency and ex parte fashion, seeks injunctive relief in the form of a temporary restraining order pursuant to Rule 680 of the Texas Rules of Civil Procedure. Namely, Manziel seeks an order prohibiting Defendant from: (1) publishing, posting, uploading, or otherwise disseminating on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (2) encouraging, inducing, or enabling any third party to publish, post, upload, or otherwise disseminate on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (3) communicating with Manziel in any form including direct messages, emails, texts, phone calls, voicemails, comments or tags directed at him on social media, (4) communicating, attempting to communicate or causing any third party to communicate with any person or business entity with whom Manziel currently has a business relationship with, or any person or business entity with whom Manziel is in negotiations, discussions, or the process of establishing a business relationship with; (5) engaging in any conduct that constitutes stalking, harassment, or surveillance, including, but not limited to, contacting Manziel, his friends, family, or business associates; and (6) communicating, attempting to communicate or causing any third

party to communicate with Manziel's friends, family, or business associates for the purposes of discussing, referencing, addressing, or otherwise mentioning Manziel.

23. Manziel is entitled to a temporary restraining order because he has shown that (1) Manziel has a cause of action against Defendant, (2) Manziel has a probable right to the relief sought, and (3) Manziel faces a probable, imminent, and irreparable injury in the interim if the injunctive relief is not granted. An injury is irreparable if the injured party cannot be adequately compensated in damages or if the damages cannot be measured by any certain pecuniary standard. Presently, Defendant is fabricating countless false narratives which has caused, and is causing, irreparable injury to Manziel's reputation and interference with Manziel's prospective and existing business relationships.

24. Manziel is willing to post an appropriate bond pursuant to Rule 684 of the Texas Rules of Civil Procedure in support of the temporary restraining order sought herein.

**COUNT FOUR**  
***Application for Temporary Injunction***

25. Manziel incorporates by reference the factual allegations contained in the proceeding paragraphs.

26. "A temporary injunction's purpose is to preserve the status quo of the litigation's subject matter pending a trial on the merits." *Pharaoh Oil & Gas, Inc., v. Rancho Esperanza, Ltd.*, 343 S.W.3d 875, 880 (TEX. APP.—El Paso 2011, no pet.)

27. Upon the expiration of the temporary restraining order issued by the Court (if any), Manziel requests that, after a hearing on same, the Court issue a temporary injunction prohibiting Defendant from: (1) publishing, posting, uploading, or otherwise disseminating on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (2) encouraging, inducing, or enabling any third party to publish,

post, upload, or otherwise disseminate on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (3) communicating with Manziel in any form including direct messages, emails, texts, phone calls, voicemails, comments or tags directed at him on social media, (4) communicating, attempting to communicate or causing any third party to communicate with any person or business entity with whom Manziel currently has a business relationship with, or any person or business entity with whom Manziel is in negotiations, discussions, or the process of establishing a business relationship with; (5) engaging in any conduct that constitutes stalking, harassment, or surveillance, including, but not limited to, contacting Manziel, his friends, family, or business associates; and (6) communicating, attempting to communicate or causing any third party to communicate with Manziel's friends, family, or business associates for the purposes of discussing, referencing, addressing, or otherwise mentioning Manziel.

#### **COUNT FIVE**

#### ***Application for Permanent Injunction***

28. Manziel incorporates by reference the factual allegations contained in the proceeding paragraphs.

29. Like a temporary restraining order and temporary injunction, a permanent injunction is warranted, upon the resolution of the merits of a matter, when it has been shown “(1) the existence of a wrongful act; (2) the existence of imminent harm; (3) the existence of irreparable injury; and (4) the absence of an adequate remedy at law.” *Jim Rutherford Invs., Inc. v. Terramar Beach Cmty. Ass’n*, 25 S.W.3d 845, 849 (TEX. APP.—Houston [14th Dist.] 2000, pet. denied).

30. Upon the resolution of the merits of this matter, Manziel request that the Court issue a permanent injunction prohibiting Defendant from (1) publishing, posting, uploading, or otherwise disseminating on any social media platform, website, messaging service, or public forum

any false, defamatory, or misleading statements concerning Manziel; (2) encouraging, inducing, or enabling any third party to publish, post, upload, or otherwise disseminate on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (3) communicating with Manziel in any form including direct messages, emails, texts, phone calls, voicemails, comments or tags directed at him on social media, (4) communicating, attempting to communicate or causing any third party to communicate with any person or business entity with whom Manziel currently has a business relationship with, or any person or business entity with whom Manziel is in negotiations, discussions, or the process of establishing a business relationship with; (5) engaging in any conduct that constitutes stalking, harassment, or surveillance, including, but not limited to, contacting Manziel, his friends, family, or business associates; and (6) communicating, attempting to communicate or causing any third party to communicate with Manziel's friends, family, or business associates for the purposes of discussing, referencing, addressing, or otherwise mentioning Manziel.

**VI.**  
**NOTICE OF INTENT TO USE DOCUMENTS**

31. Pursuant to Texas Rules of Civil Procedure Section 193.7, Manziel hereby gives notice to all parties that it intends to use as evidence, at the time of trial, all documents produced in response to written discovery served by Manziel, and any documents exchanged and provided between the parties, including, but not limited to, correspondences, pleadings, records, and discovery responses.

**VII.**  
**PRAYER**

32. WHEREFORE, PREMISES CONSIDERED, Plaintiff Johnny Manziel (“Manziel”) respectfully prays that:

1. A temporary restraining order be immediately issued against Defendant MaKenzie Carter a/k/a MaKenzie Calame (“Defendant”), or any person or entity acting on her behalf, prohibiting her from: (1) publishing, posting, uploading, or otherwise disseminating on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (2) encouraging, inducing, or enabling any third party to publish, post, upload, or otherwise disseminate on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (3) communicating with Manziel in any form including direct messages, emails, texts, phone calls, voicemails, comments or tags directed at him on social media, (4) communicating, attempting to communicate or causing any third party to communicate with any person or business entity with whom Manziel currently has a business relationship with, or any person or business entity with whom Manziel is in negotiations, discussions, or the process of establishing a business relationship with; (5) engaging in any conduct that constitutes stalking, harassment, or surveillance, including, but not limited to, contacting Manziel, his friends, family, or business associates; and (6) communicating, attempting to communicate or causing any third party to communicate with Manziel’s friends, family, or business associates for the purposes of discussing, referencing, addressing, or otherwise mentioning Manziel.
2. The Court sets a reasonable bond for the temporary restraining order at \$500.00
3. After notice and hearing, a temporary injunction be issued against Defendant, or any person or entity acting on her behalf, prohibiting her from: (1) publishing, posting, uploading, or otherwise disseminating on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (2) encouraging, inducing, or enabling any third party to publish, post, upload, or otherwise disseminate on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (3) communicating with Manziel in any form including direct messages, emails, texts, phone calls, voicemails, comments or tags directed at him on social media, (4) communicating, attempting to communicate or causing any third party to communicate with any person or business entity with whom Manziel currently has a business relationship with, or any person or business entity with whom Manziel is in negotiations, discussions, or the process of establishing a business relationship with; (5) engaging in any conduct that constitutes stalking, harassment, or surveillance, including, but not limited to, contacting Manziel, his friends, family, or business associates; and (6) communicating, attempting to communicate or causing any third party to communicate with Manziel’s friends, family, or business associates for the

purposes of discussing, referencing, addressing, or otherwise mentioning Manziel.

4. After a jury trial on the merits of this matter, a judgment be issued against Defendant awarding Manziel all monetary damages determined thereat as well as permanently prohibiting Defendant from: (1) publishing, posting, uploading, or otherwise disseminating on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (2) encouraging, inducing, or enabling any third party to publish, post, upload, or otherwise disseminate on any social media platform, website, messaging service, or public forum any false, defamatory, or misleading statements concerning Manziel; (3) communicating with Manziel in any form including direct messages, emails, texts, phone calls, voicemails, comments or tags directed at him on social media, (4) communicating, attempting to communicate or causing any third party to communicate with any person or business entity with whom Manziel currently has a business relationship with, or any person or business entity with whom Manziel is in negotiations, discussions, or the process of establishing a business relationship with; (5) engaging in any conduct that constitutes stalking, harassment, or surveillance, including, but not limited to, contacting Manziel, his friends, family, or business associates; and (6) communicating, attempting to communicate or causing any third party to communicate with Manziel's friends, family, or business associates for the purposes of discussing, referencing, addressing, or otherwise mentioning Manziel.
5. Assess attorney's fees and costs against Defendant.
6. For such other further relief, in law or in equity, whether pled or unpled, to which Manziel may be justly entitled.

Dated: February 27, 2026

Respectfully submitted,  
**HOLT & HUTCHINS, PLLC**  
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*Johnny Manziel*

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Englesh Rhodes on behalf of Aron Hutchins

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Filing Description: & Emergency Ex Parte Application for TRO & Injunctive Relief

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