

STATE OF NORTH CAROLINA

COUNTY OF DARE

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

FILE NO. 26CV000062-270

JERRY R. TILLET,)

Plaintiff)

v.)

RICHARD BURRUS,)

NOEL FRITSCH and)

THEODORE (TEDDY) DANIELS)

and)

BRIANA DANIELS,)

Defendants

COMPLAINT

(Jury Trial Demanded)

NOW COMES Plaintiff JERRY R. TILLET complaining of Defendants
RICHARD BURRUS, NOEL FRITSCH, BRIANA DANIELS, and THEODORE
(TEDDY) DANIELS and alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff Jerry Tillett is a citizen and resident of Dare County, North Carolina.
2. Defendant Richard Burrus is a citizen and resident of Dare County, North Carolina.
3. Upon information and belief, Defendant Noel Fritsch is a citizen and resident of Moore County, North Carolina.
4. Defendant Briana Daniels is a citizen and resident of Dare County, North Carolina.

5. Defendant Theodore (Teddy) Daniels is a citizen and resident of Dare County, North Carolina.

6. Venue for this action is proper in Dare County.

7. This Court has subject matter and personal jurisdiction over the parties.

FACTUAL ALLEGATIONS

8. On or about December 11, 2025, Defendant Burrus published an audio recording on his personal Facebook page, set to public. This published audio recording contained several voices seemingly engaged in conversation. Racial slurs were used in said conversation. Defendant Burrus's caption purported that Plaintiff was one of the individuals making racist slurs.

9. Defendant Fritsch created and maintains <https://nationalfile.com/> ("National File"), a website which has been publicly accessible at all relevant times.

10. On or about December 23, 2025, Defendant Fritsch published an article to National File entitled, "OBX RACISM: NC State Senate Candidate's Racist, Murderous Tirade Caught on Tape."

11. Defendant Fritsch wrote in said article, amongst other claims that Plaintiff has committed various crimes including illicit drug use, engaged in an extramarital affair, and used racial slurs while advocating for the shooting of a black man. All these allegations are patently false.

12. On or about the same date, accompanying the article described above, Defendant Fritsch, by way of National File, published the same audio recording described in Paragraph 6.

13. Defendant Fritsch, by way of National File's Facebook page published the same article described in Paragraphs 10-11 along with the audio recording. Defendant Fritsch falsely claimed that Plaintiff was using racist language in the audio. This Facebook post had two comments, twenty-eight shares, and over 6.6 thousand views.

14. On or about December 23, 2025, Defendant Burrus shared National File's Facebook post described in Paragraph 13 to his own Facebook account. This post was set to public. This post was shared three times.

15. Defendant Burrus also shared National File's Facebook post of the article at least nine of the twenty-eight times it was shared. Defendant Burrus shared the post to the Facebook pages of North Carolina Conservatives, Camden County Republican Party, Chowan County GOP, Democratic Women of North Carolina, and NE NC Republicans amongst other Facebook pages dedicated to local political organizations. Defendant Burrus has also left comments containing the audio recording on several Facebook posts that mention the Plaintiff purporting that the audio is of the Plaintiff.

16. In addition to the audio file, Defendant Burrus has consistently shared false statements about the Plaintiff on the Facebook platform. These false

statements purport that the Plaintiff has engaged in illicit drug use, extramarital affairs, inappropriate conduct with minors, and other such harmful comments to be proven at trial.

17. When the Plaintiff is mentioned on Facebook posts of other people and organizations, Defendant Burrus comments with false statements including, but not limited to the audio file described previously. For instance, the Plaintiff shared his Thanksgiving Day speech on his campaign Facebook page on November 28, 2025, and Defendant Burrus commented, “Cocaine and 2 underage girls in Greenville.” Defendant Burrus has scoured the internet for mentions of the Plaintiff in an effort to comment negatively on such posts. By way of example, Defendant Burrus has recently shared the audio file in the comments of articles published about the Plaintiff dating as far back as 2017 and even shared it in the comment section of a local car dealership’s post of the Plaintiff purchasing a vehicle in 2021.

18. Defendant Burrus continues to make similar comments on his own Facebook page and those of other people and organizations. Upon information and belief, the administrator for the Pasquotank GOP and Northeast Carolina Republican Women Facebook pages has deleted countless such comments.

19. On his own Facebook page, Defendant Burrus has published false and defamatory statements accusing the Plaintiff of adultery and drug use. For instance, he called the Plaintiff an “...old, dirty drunk judge...,” insinuated Plaintiff is “coked up,” and has a substance abuse problem, is under investigation by the Dept.

of Justice, and drives while intoxicated. These posts were all set to public where they could be viewed by anyone. Defendant Burrus has made many similar attacks on public and private figures on social media which are upon information and belief alleged to be false.

20. Upon information and belief, Defendant Burrus also uses fake Facebook profiles to publish false statements regarding the Plaintiff, including Katherine Gallop, Humming Bird Flowers, Johnny Rivera, Alex Howell, and others.

21. Defendant Burrus has been convicted 11 times previously, including convictions for threatening to kill his mother and father and others upon separate warrants. Plaintiff has had little contact with Burrus except for presiding over one of the Defendant's prior cases in court where Defendant Burrus was convicted threatening to kill a County water department employee (unrelated to threats to kill family members). His threats were made directly and also by social media. Furthermore, Defendant Burrus has previously been arrested and ordered to refrain from posting defamatory and or harassing material or harassing others on Facebook. Defendant Burrus has posted between 30 to 60 times on various websites false and defamatory statements in an attempt to harass or terrorize or threaten. He has done so even after being directed by court order to stop. He has continued to post after being banned by site administrators. Defendant Burrus is currently charged with two counts of cyber stalking and one count of stalking.

22. Defendant Burrus further attempted to share the audio file to both WAVY TV 10's comment section and that of 13News Now- WVEC to reach a larger audience.

23. Defendant Briana Daniels, individually and acting in concert with Defendant Theodore Daniels, published to one or more other persons false and defamatory statements by asserting that Plaintiff's voice was the one making racial statements in the previously referenced audio file. Defendant knew this assertion was false.

24. Defendants Briana and Theodore Daniels, individually and/or acting in concert, willfully intercepted, disclosed, and/or used a wire, oral, and/or electronic communication illegally and in violation of North Carolina law and/or NCGS 15A-296, 15A-287, and/or by using and/or endeavoring to use, procuring another to use, an electronic, mechanical or other device to intercept any oral communication when such device or instrument otherwise transmits a signal through wire, cable, or other-like connection used in wire communications or transmits communications by radio and/or electronic communication and/or while knowing or having reason to know the information was obtained through the interception of an oral communication in violation of the overreferenced Article and/or statute. Such interception was not authorized by Chapter 119 of the United States Code.

25. Defendant Theodore Daniels published and provided such audio recordings, having reason to know the information was false and obtained through illegal recording or interception as stated above.

26. None of this information in these false statements that Defendants published about Plaintiff are remotely true, and no possible existing set of facts could ever lead to a good faith belief that any of these false statements might be true. Defendants are not and were not merely publishing opinions but have claimed that these false statements are factually accurate.

27. Defendants published these false statements on their respective websites (to include Facebook pages) to the public at large. Additionally, Defendants encouraged republishing of their false statements by giving the public an opportunity to readily share information posted on their websites and on other publicly available internet platforms like Facebook and other social media sites.

28. By way of example and not limitation, on December 28, 2025, a local social media activist Valerie Crew shared a link to Defendant's Website on her Facebook page. That post, alone, garnered at least 68 comments and 34 shares, most of which accused Plaintiff of harboring racist views.

29. By way of further example, the National File article was shared to the "North Carolina" subreddit of the online forum Reddit where it received 968 upvotes and 115 comments.

30. These false statements about Plaintiff that Defendants published on their websites could have and actually did subject Plaintiffs to ridicule, contempt, and disgrace in his community and harmed and continues to harm his professional and community reputation.

31. In addition to suffering public ridicule from random public internet users, family members, community members, friends, business associates, and constituents have approached Plaintiff and asked about these false statements Defendants published on their websites.

32. On January 4, 2025, Plaintiff's attorneys attempted to serve Defendants Burrus and Fritsch with letters via email and at their respective residences and by USPS, and FedEx that demanded that Defendants stop their unlawful, malicious, disparaging, and defamatory actions; remove these false statements published on their websites; and publicly retract and withdraw their previously published false statements.

33. On January 5, 2025, Plaintiff's attorney attempted to serve Defendants Briana and Theodore with letters via email and USPS first class mail that demanded that Defendants stop their unlawful, malicious, disparaging, and defamatory actions; and publicly retract and withdraw their previously published false statements.

34. The past reputational damage is done. Defendants have already harmed Plaintiff by publishing these false statements far and wide to the public at

large. But each day that Defendants refuse to remove and retract the false and defamatory statements and refrain from publishing new false and defamatory statements causes ongoing harm as the false statements can reach more people — Plaintiff's family, friends, neighbors, co-workers, and constituents.

FIRST CLAIM FOR RELIEF
(Defamation/Libel Per Se)

35. Plaintiff realleges and incorporates the preceding Paragraphs.

36. Defendants' false and defamatory statements published on their websites and elsewhere constitute defamation and libel *per se*.

37. Defendants published their false and defamatory statements to third parties on their websites for local and national audiences to read and understand.

38. As of the date of this filing, the website link posted on National File's Facebook page has twenty-eight shares, and over 6.6 thousand views. The Website link posted Valerie Crew's Facebook page has received at least 52 reactions, 68 comments, and 34 shares. The Reddit post has over 900 reactions and 115 comments.

39. The statements Defendant published on the website were and are false, and Defendants knew when they made them and know now that these statements are and always have been false. In the unlikely event that Defendants claim they believed them to be true, Defendants lacked any reasonable grounds to

support such a belief and made these false statements with reckless disregard for whether they were false.

40. The false statements Defendants published, when considered alone without explanation or circumstances, tended to and have subjected Plaintiff to ridicule, contempt, and disgrace.

41. Defendant Burrus acted with malice towards Plaintiff, with whom he has frequently attempted to disparage online. Defendant Burrus intended to damage Plaintiff's professional reputations and goodwill in his professions and in his community and to damage Plaintiff's businesses and trades.

42. Upon information and belief, Defendant Fritsch acted with malice toward Plaintiff due to a personal connection with a political rival of Plaintiff's,

43. As a direct and proximate result of Defendants' false statements, Plaintiff has suffered extreme embarrassment, public humiliation, distress, and damage to his name, businesses, reputation, and goodwill. Plaintiff has incurred extensive losses and costs to protect his reputation and goodwill, which, but for Defendants' wrongful conduct, would not have been necessary.

44. As a direct and proximate result of Defendants' defamation and libel *per se*, Plaintiff has suffered injury, including, but not limited to, damage to his reputation and businesses. Plaintiff is entitled to recover compensatory damages from Defendants in an amount to be determined at trial, but in any event, in excess of \$25,000.00.

45. Because Defendants made false statements with malice, by willful and wanton conduct, and with willful intent to injure Plaintiff, Plaintiff is entitled to recover punitive damages from Defendant pursuant to N.C. Gen. Stat. §§ 1D-1, *et seq.*, in an amount to be determined at trial, but in any event, in excess of \$25,000.00.

SECOND CLAIM FOR RELIEF
(Defamation/Libel Per Quod)

46. Plaintiff realleges and incorporate the preceding Paragraphs.

47. The false and defamatory statements Defendants Burrus and Fritsch published on their websites, including but not limited to Facebook pages, constitute defamation and libel *per quod*.

48. Defendant Briana Daniels, individually and acting in concert with Defendant Theodore Daniels, published to one or more other persons false and defamatory statements by asserting that Plaintiff's voice was the one making racial statements in the previously referenced audio file. Defendants Daniels knew this assertion was false.

49. Defendants' conduct constitutes defamation and libel *per quod*, as the information shared on the website and other internet sites is defamatory when considered with innuendo, colloquium, and explanatory circumstances, and those false statements subjected Plaintiff to ridicule, contempt and disgrace, and impeached and prejudiced Plaintiff with respect to his professional reputation.

50. Defendants published the false statements on their websites to third parties in that Defendants published them or caused them to be published on their Website on the internet at large for local and national audiences to read and understand.

51. As of the date of this filing, the Website link posted on National File's Facebook page has twenty-eight shares, and over 6.6 thousand views. The Website link posted Valerie Crew's Facebook page has received at least 52 reactions, 68 comments, and 34 shares. The Reddit post has received 968 upvotes and 115 comments.

52. The written statements Defendants published on their websites were and are false, and Defendants knew then and knows now that these statements were and are false when they were made. In the unlikely event that Defendants claim they believed them to be true, Defendants lacked any reasonable grounds to support such a belief and made these false statements with reckless disregard for whether they were false.

53. Defendants' conduct in making these false, defamatory statements were undertaken out of malice toward Plaintiff, with the intention of damaging Plaintiff's reputation in the community.

54. As a direct and proximate result of the statements published by Defendants, Plaintiff has suffered special damages including extreme embarrassment, public humiliation, distress, and damage to his name, businesses,

and reputation. Plaintiff has incurred loss and cost to protect his reputation and businesses, which would not have been necessary but for Defendants' wrongful conduct.

55. As a direct and proximate result of Defendant's defamation and libel *per quod*, Plaintiff is entitled to recover compensatory and special damages from Defendants in an amount to be determined at trial, but in any event, in excess of \$25,000.00.

56. Because Defendants made the false statements with malice, by willful and wanton conduct, and with willful intent to injure Plaintiff, Plaintiff is entitled to recover punitive damages from Defendants pursuant to N.C. Gen. Stat. §§ 1D-1, *et seq.*, in an amount to be determined at trial, but in any event, in excess of \$25,000.00.

THIRD CLAIM FOR RELIEF
(Unlawful Interception, Disclosure and use of Communications,
NCGS 15A-287 and 15A-296)

57. Plaintiff realleges and incorporate the preceding Paragraphs including but not limited to Paragraphs 30 and 31.

58. Defendants Briana and Theodore Daniels, individually and/or acting in concert, willfully intercepted, disclosed, and/or used a wire, oral, and/or electronic communication illegally and in violation of North Carolina law and/or NCGS 15A-287, 15A-296, and/or by using and/or endeavoring to use, procuring another to use, an electronic, mechanical or other device to intercept any oral

communication when such device or instrument otherwise transmits a signal through wire, cable, or other-like connection used in wire communications or transmits communications by radio and/or electronic communication and/or while knowing or having reason to know the information was obtained through the interception of an oral communication in violation of the referenced Article and/or statute. Such interception was not authorized by Chapter 119 of the United States Code.

59. Defendant Theodore Daniels published and provided such audio, having reason to know the information was false and obtained through illegal recording or interception as stated above.

60. Because Defendants made the false statements with malice, by willful and wanton conduct, and with willful intent to injure Plaintiff, Plaintiff is entitled to recover statutory, compensatory and punitive damages from Defendants pursuant to N.C. Gen. Stat. §§ 1D-1, *et seq.*, including but not limited to N.C. Gen Stat. §§ 15A- 287 and 15A-296, *et seq* in an amount to be determined at trial, but in any event, in excess of \$25,000.00.

FOURTH CLAIM FOR RELIEF
(Injunctive Relief)

61. Plaintiff realleges and incorporates the preceding Paragraphs.

62. In addition to the claims set forth above, Plaintiff alleges and says that Defendants' wrongful acts have caused immediate and irreparable injury, loss, and damage to Plaintiff for which Plaintiff has no adequate remedy at law.

63. Without appropriate equitable relief, including a preliminary injunction, and permanent injunction, Plaintiff believes and alleges that Defendants will continue their injurious course of conduct which is prejudicial and irreparably harmful to Plaintiff in his reputation, professions, and businesses.

64. In addition to the claims set forth above, Plaintiff is entitled to preliminary and permanent injunctive relief against Defendants including, without limitation, a preliminary injunction and a permanent injunction to prevent their continuing publication of false and defamatory statements of and concerning Plaintiff in his reputation, professions, and businesses, which are proximately causing irreparable harm to Plaintiff.

PRAYER FOR RELIEF

Plaintiff requests that the Court provide the following relief:

1. Plaintiff recovers judgment against Defendants for statutory, compensatory and special damages in an amount in excess of \$25,000 as determined by a jury;
2. Plaintiff recovers judgment against Defendants for punitive damages in an amount in excess of \$25,000 as determined by a jury;
3. Plaintiff recovers such appropriate equitable relief as the Court may deem just and proper, including, but not limited to, an order preliminarily and permanently enjoining Defendants from engaging in further defamatory actions;

4. The costs of this action, including an award of reasonable attorneys' fees as permitted by law, be taxed against Defendants;

5. A trial by jury be had on all issues so triable; and,

6. Plaintiff has and recovers such other and further relief as the Court may deem just and proper.

This the 4th day of February, 2025.

MAYNARD NEXSEN PC

By: /s/ R. Daniel Boyce
R. Daniel Boyce, NC State Bar # 12329
4141 Parklake Avenue, Suite 200
Raleigh, North Carolina 27612
Telephone: (919) 755-1800
Facsimile: (919) 653-0435
Email: dboyce@maynardnexsen.com