

WILLIAM C. ENGLISBEE,  
EDITH HALLBERG,  
RICHARD ENGLISBEE, and  
ELIZABETH ANDERSON,  
As heirs of the body of ANGELINA  
MARIA SILVA  
ENGLISBEE, Deceased,

Plaintiffs,

v.

PATRICK WOOD CRUSIUS,  
JOHN BRYAN CRUSIUS,  
LORI LYNN CRUSIUS,  
LARRY P. BROWN,  
CYNTHIA B. BROWN; 8 CH and  
JAMES A. WATKINS, Individually and  
D/B/A PACIFIC INTERNET  
EXCHANGE, LLC and  
N T TECHNOLOGY INC  
MATTHEW PRINCE, Individually and  
D/B/A CLOUDFLARE INC. and  
FREDRICK BRENNAN, all of whom are  
Joint and Severally called 8CH; and  
JOHN DOES 1 through Unknown,

Defendants.

Cause No.: 2019DCV \_\_\_\_\_

**PLAINTIFFS' ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW WILLIAM C. ENGLISBEE, EDITH HALLBERG, RICHARD ENGLISBEE and ELIZABETH ANDERSON as Heirs of the body of ANGELINA MARIA SILVA ENGLISBEE, Deceased (hereinafter called "Plaintiffs"), complaining of PATRICK WOOD CRUSIUS (hereinafter called Defendant "CRUSIUS"), JOHN BRYAN CRUSIUS and LORI LYNN CRUSIUS (hereinafter jointly and severally called Defendants "CRUSIUS PARENTS"), LARRY P. BROWN and CYNTHIA B. BROWN (hereinafter jointly and severally called Defendants "BROWN"), 8CH and JAMES A. WATKINS, Individually and D/B/A

PACIFIC INTERNET EXCHANGE, LLC and N T TECHNOLOGY INC., MATTHEW PRINCE, Individually and D/B/A CLOUDFLARE INC; and FREDRICK BRENNAN (hereinafter jointly and severally called Defendants “8CH”), and JOHN DOES 1 through Unknown (hereinafter called Defendants “JOHN DOES”), and for a cause of action would respectfully show the Court as follows:

**I. DISCOVERY LEVEL**

Pursuant to Rule 190, discovery in this case will be conducted in Level III.

**II. PARTIES**

Plaintiff William C. Englisbee is a resident of El Paso County, Texas. The last three numbers of Plaintiff Englisbee’s social security number are 815.

Plaintiff Edith Hallberg is a resident of El Paso County, Texas. The last three numbers of Plaintiff Hallberg’s social security number are 339.

Plaintiff Richard Englisbee is a resident of El Paso County, Texas. The last three numbers of Plaintiff Englisbee’s social security number are 784.

Plaintiff Elizabeth Anderson is a resident of Harker Heights, Texas. The last three numbers of Plaintiff Anderson’s social security number are 821.

Defendant PATRICK WOOD CRUSIUS is a resident of Allen, Texas and may be served with process by serving him at EL PASO COUNTY DETENTION FACILITY, SO#9662140, 601 E. Overland Ave., El Paso, Texas 79901 and/or where ever may be found.

Defendant JOHN BRYAN CRUSIUS is a resident of Richardson, Texas and may be served with process by serving him at 336 Melrose Dr., Apt. 21B, Richardson, Texas 75080 and/or where ever may be found.

Defendant LORI LYNN CRUSIUS is a resident of Allen, Texas and may be served with

process by serving her at 609 Roanoke Dr., Allen, Texas 75013 and/or where ever may be found.

Defendant LARRY P. BROWN is a resident of Mabank, Texas and may be served with process by serving him at 156 Surls Dr., Mabank, Texas 75156 and/or where ever may be found.

Defendant CYNTHIA B. BROWN is a resident of Allen, Texas and may be served with process by serving her at 900 Kingsbury Ct., Allen, Texas 75013 and/or where ever may be found.

Defendant JAMES A. WATKINS, Individually and D/B/A PACIFIC INTERNET EXCHANGE, LLC and N T TECHNOLOGY INC. is a resident of Sagle, Idaho doing business in the State of Texas and is subject to jurisdiction under specific and general jurisdiction by its contacts with Texas to the full extent permitted by law. Additionally, Defendant is doing business in Texas by contracting by mail, electronic media or otherwise with a Texas resident and either party is to perform the contract in whole or in part in this state, by committing a tort in whole or in part in the State of Texas or by recruiting Texas residents, directly or through an intermediary located in the State of Texas, for employment inside or outside this state. Defendant is not required to designate an agent for service of process in the State of Texas, therefore the Secretary of State is the agent for service of process on such non-resident. Service of process may be had in accordance with the Texas Long Arm Statute by serving the Secretary of State, Austin, Texas, 1019 Brazos, Travis County, Texas, who shall then forward a copy of this petition upon Defendant at P.O. Box 246, Sagle, Idaho 83860 and/or where ever may be found.

Defendant MATTHEW PRINCE, Individually and D/B/A CLOUDFLARE INC. is a resident of San Francisco, California doing business in the State of Texas and is subject to jurisdiction under specific and general jurisdiction by its contacts with Texas to the full extent permitted by law. Additionally, Defendant is doing business in Texas by contracting by mail, electronic media or otherwise with a Texas resident and either party is to perform the contract in

whole or in part in this state, by committing a tort in whole or in part in the State of Texas or by recruiting Texas residents, directly or through an intermediary located in the State of Texas, for employment inside or outside this state. Defendant is not required to designate an agent for service of process in the State of Texas, therefore the Secretary of State is the agent for service of process on such non-resident. Service of process may be had in accordance with the Texas Long Arm Statute by serving the Secretary of State, Austin, Texas, 1019 Brazos, Travis County, Texas, who shall then forward a copy of this petition upon Defendant at 665 3<sup>rd</sup> St., Ste. 200, San Francisco, CA 94107 and/or where ever may be found.

Defendant FREDRICK BRENNAN is a resident of Atlantic City, New Jersey doing business in the State of Texas and is subject to jurisdiction under specific and general jurisdiction by its contacts with Texas to the full extent permitted by law. Additionally, Defendant is doing business in Texas by contracting by mail, electronic media or otherwise with a Texas resident and either party is to perform the contract in whole or in part in this state, by committing a tort in whole or in part in the State of Texas or by recruiting Texas residents, directly or through an intermediary located in the State of Texas, for employment inside or outside this state. Defendant is not required to designate an agent for service of process in the State of Texas, therefore the Secretary of State is the agent for service of process on such non-resident. Service of process may be had in accordance with the Texas Long Arm Statute by serving the Secretary of State, Austin, Texas, 1019 Brazos, Travis County, Texas, who shall then forward a copy of this petition upon Defendant at 597 N. Raleigh Ave., Apt. D, Atlantic City, NJ 08401 and/or where ever may be found.

Defendants JOHN DOES 1 through Unknown are unidentified at this time.

### III.

This is an action for damages instituted by Plaintiffs being heirs of the body of ANGELINA MARIA SILVA ENGLISBEE against Defendants, wherein Defendants are liable in monetary damages because of common law and statutory negligence, vicarious liability, wrongful death and survivorship rights which proximately caused damages to the Plaintiffs.

Plaintiff WILLIAM C. ENGLISBEE is the son of ANGELINA MARIA SILVA ENGLISBEE.

Plaintiff EDITH HALLBERG is the daughter of ANGELINA MARIA SILVA ENGLISBEE.

Plaintiff RICHARD ENGLISBEE is the son of ANGELINA MARIA SILVA ENGLISBEE.

Plaintiff ELIZABETH ANDERSON is the daughter of ANGELINA MARIA SILVA ENGLISBEE.

### IV. FACTS

Defendants 8CH, including WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES have engaged in a course of conduct aimed at stopping or slowing Hispanics from “invading” the United States. According the Manifesto on 8 CH which was circulated publically prior to the horrific event made the basis of this lawsuit, Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES announced that Defendant CRUSIUS’ next “logical step is to decrease the number of people in America using resources including that “if we can get rid of enough people, then our way of life can become more sustainable”. Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES intentionally, knowingly, recklessly or negligently labeled, categorized and demonized Hispanics and persons of Hispanic heritage as inferior. of criminal conduct, of invading

the United States, and of being undeserving of our United States. Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES have publically and privately encouraged, promoted, incited, encouraged and inspired “white racist nationalism”, “nationalism”, “Nazism”, and ideological racist fervor, as an unincorporated association, to unite together to fight this “invasion” of minorities, particularly persons of Hispanic descent. Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES have publically and privately encouraged, promoted, incited, and inspired outbursts, rallies, social media and other responses that include physical responses, financial discrimination, and even violence. Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES’ course of conduct has caused and continued to cause bodily harm, property damage, and even deaths, throughout the United States. For purposes of this lawsuit, the message promoted by Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES will be known as a message of “hate”. By lawful means, Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, CRUSIUS and JOHN DOES sought illegal ends; alternatively by unlawful means Defendants JOHN DOES sought legal ends; constituting a civil conspiracy.

Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, and JOHN DOES have used electronic media to advance their civil conspiracy, and certain electronic media have been created, promoted and maintained for spreading this message of hate, particularly Defendants 8 CH social media outlet.

Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN, and JOHN DOES and others have referred to El Paso, Texas as Ground Zero for the “invasion by Hispanics” even though El Paso was recognized for decades as one of the safest cities in the United States, and one

of the earliest settlements in North America. In July, 2019, Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES used its unincorporated association and its electronic media co-conspirators to raise millions of dollars to build a private wall in the El Paso area (within 15 miles of the murder site) to “stop the invasion of Hispanics”. During this multiple hour telethon, messages of hate were used to label, categorize and dehumanize persons of Hispanic Descent, and to raise the level of fear to invoke action to stop the “invasion”.

On or about August 3, 2019, one of Defendants 8CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES disciples, CRUSIUS followed the message of Hate promoted by Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES. Defendant CRUSIUS drove from Allen, Texas, over 600 miles to El Paso, Texas for the express purpose to “hunt and kill Mexicans”. Defendant CRUSIUS was provided information that the Walmart at Cielo Vista in El Paso, Texas was one of the busiest Walmarts in the United States and closest to the border for Mexican visitors that would come to buy goods. On that Saturday morning in El Paso, in August right before school children were to return to school for the fall semester, the Walmart store would be full of customers. It was a “Tax-free” weekend encouraging back to school sales. Defendant CRUSIUS had purchased a high capacity assault weapon, like an AK-47 capable of shooting 100 bullets or more per minute, and Defendant CRUSIUS purchased a significant quantity of ammunition. Defendant CRUSIUS also purchased body armor to protect him from return fire and other defense that might be taken to stop Defendants nefarious plan.

At approximately 10:30 am, with thousands of customers in the El Paso Walmart store, Defendant CRUSIUS entered the store and began shooting innocent women, children and men, elderly and young. Minute after minute, bullet after bullet, and for approximately 30 minutes,

Defendant CRUSIUS shot human being after human being. After feeling satisfied that he accomplished his mission for which he was encouraged by Defendants 8 CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES, Defendant CRUSIUS exited the store, and voluntarily surrendered to the Police. Defendant CRUSIUS boasted that he came to El Paso “to kill Mexicans.”

In this blood bath, ANGELINA MARIA SILVA ENGLISBEE was murdered by Defendant CRUSIUS, and his co-conspirators. ANGELINA MARIA SILVA ENGLISBEE was born on or about November 3, 1932 in Santa Fe New Mexico which is one of the 50 States in the United States of America. She attended high school in Santa Fe New Mexico, where she met and married her husband Richard Englisbee, also from Louisiana, another one of the 50 States of the United States of America. ANGELINA MARIA SILVA ENGLISBEE and Richard Englisbee were married for many years until his passing. ANGELINA MARIA SILVA ENGLISBEE had 7 children, all born in the United States of America, being DOROTHY ANN (ENGLISBEE) DENHAM, ELIZABETH ANDERSON, MARY CONNEL WYNN, EDITH HALLBERG, WILLIAM CONNEL ENGLISBEE, ALICE ENGLISBEE and RICHARD CONNEL ENGLISBEE. ANGELINA MARIA SILVA ENGLISBEE was a hard working self-sufficient single parent who raised her children after the passing of her husband. ANGELINA MARIA SILVA ENGLISBEE worked at Private Industry Council in El Paso, Texas for many years, as well as other places. ANGELINA MARIA SILVA ENGLISBEE was in excellent health, with persons saying she would live to age 108. At the time of her passing, she had 7 children, 24 grandchildren and 13 great grandchildren. ANGELINA MARIA SILVA ENGLISBEE was loved, revered and respected by all that knew her.



## V.

Alternatively and without waiving other contentions, Defendant CRUSIUS is liable for intentionally causing bodily injuries and death to ANGELINA MARIA SILVA ENGLISBEE and Plaintiffs' damages. Defendant CRUSIUS is liable for Plaintiffs actual damages and for punitive damages.

## VI.

Additionally and without waiving other contentions, Defendants 8CH, WATKINS, PRINCE, CLOUDFLARE, CRUSIUS PARENTS, BROWN and JOHN DOES intentionally created, encouraged and promoted a plan to stop the "invasion" to promote their own economic interest and to further their life style. Defendants 8CH, WATKINS, PRINCE, CLOUDFLARE and JOHN DOES were intentional, knowing, reckless or negligent in that they knew or should have known of the schemes, plans and dangerous propensities and hate of CRUSIUS and other disciples and failed to control, prevent, supervise, or act in any way to protect the life of human beings, including ANGELINA MARIA SILVA ENGLISBEE. Defendants 8CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES were intentional, knowing, reckless or negligent in that they not only knew or should have known of CRUSIUS' schemes, plans and dangerous propensities, but they also provided encouragement, assistance, brain washing and the ways and means for CRUSIUS and other disciples of hate to carry out the plans, which led to the death of ANGELINA MARIA SILVA ENGLISBEE. Defendants 8CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES intentionally set in motion, discussed and planned to kill or threaten Hispanics, which created a duty to act. Defendants 8CH, WATKINS, PRINCE, CLOUDFLARE, BRENNAN and JOHN DOES actions and failure to act was intentional, knowing, reckless or negligent which was a proximate cause of ANGELINA MARIA SILVA

ENGLISBEE death and Plaintiffs' damages.

## **VII. CIVIL CONSPIRACY**

Defendants CRUSIUS, CRUSIUS PARENTS, BROWN, WATKINS, PRINCE, 8 CH, CLOUDFLARE, BRENNAN and JOHN DOES engaged in civil conspiracy, in violation of law, which civil conspiracy caused damages to Plaintiffs for which all Defendants are jointly and severally liable.

## **VIII. JOINT VENTURE**

Defendants CRUSIUS PARENTS and BROWN are liable under a cause of action for joint venture because they (1) had an agreement, (2) a common purpose, (3) community of interest, and (4) equal right of control.

Defendants CRUSIUS PARENTS and BROWN owed a reasonable degree of care to Plaintiffs. Plaintiffs allege that the incident and Plaintiffs' damages were proximately caused by the negligence of Defendants CRUSIUS PARENTS and BROWN arising from one or more of the following alternative theories of negligence on the part of Defendants:

1. Teaching, training, supervising, aiding and abetting Crusius from the home that it is acceptable to violate the laws of the State of Texas.
2. Negligent in training Crusius from the home to break the laws of the State of Texas.
3. Negligent in encouraging Crusius to break the laws of the State of Texas
4. Negligently training Crusius to commit tort upon Plaintiffs.
5. Negligent in training Crusius to inflict excessive force.
7. Negligent in training Crusius to inflict emotional distress.
8. Negligent in training Crusius to commit assault and battery.
9. Negligent supervision of Crusius.
10. Negligent in fostering an environment which encouraged hate crimes
11. Negligent in allowing weapons in the home where Crusius resides, despite knowing of his dangerous propensities.
12. Other acts of negligence.

Each of which acts or omissions was other than what a reasonable and prudent person would have been doing under the same or similar circumstances. Each of which acts or omissions was a proximate cause of Plaintiffs' damages.

## **IX.**

Defendants JOHN BRYAN CRUSIUS, LORI LYNN CRUSIUS, LARRY P. BROWN and CYNTHIA B. BROWN are the parents and grandparents of Defendant CRUSIUS, who provided his education and training, and were responsible for his supervision. Defendant CRUSIUS parents had actual knowledge that CRUSIUS purchased an assault weapon. Defendant CRUSIUS parents and grandparents are liable for intentional, knowing, reckless or negligent supervision, education or training of Defendant CRUSIUS and are jointly and severally liable for the damages Defendant CRUSIUS inflicted

## **X. NEGLIGENCE**

Alternatively and without waiving other contentions, All Defendants were negligent and said negligence was a proximate cause of Plaintiffs' damages.

## **XI. PIERCING CORPORATE VEIL**

Plaintiffs will show that the identity of Defendants WATKINS, PRINCE, BRENNAN, CLOUDFLARE and 8 CH and their sham business entities are in substance one and the same. Defendants WATKINS, PRINCE, BRENNAN, CLOUDFLARE and 8 CH are but the alter ego of each other. Defendants 8 CH is acting solely as a conduit for the performance of WATKINS, PRINCE, BRENNAN and CLOUDFLARE's business and benefit. Defendants 8 CH and WATKINS, PRINCE, BRENNAN, CLOUDFLARE are jointly and severally liable for Plaintiffs damages under the theories of piercing the corporate veil, alter ego, principal/ agent, master/servant, joint enterprise.

## **XII. CHILDREN'S DAMAGES**

As a direct and proximate result of the acts and omissions of Defendants, Plaintiffs WILLIAM C. ENGLISBEE, EDITH HALLBERG, RICHARD ENGLISBEE and ELIZABETH

ANDERSON have each sustained injuries and damages as a result of the wrongful death of their mother ANGELINA MARIA SILVA ENGLISBEE, including, but not limited to the following:

- (a) Pecuniary loss, including the loss of her care, maintenance, support, services, advice, counsel, guidance and reasonable contributions of pecuniary value.
- (b) Loss of Decedent's society and companionship, love, affection, comfort, protection, and attention.
- (c) Loss of inheritance, gifts, benefits, and other valuable gratuities.
- (d) Loss of household services.
- (e) Mental anguish.
- (f) Loss of their mother's love, affection, advice, counsel, care, consortium, protection, services, attention, society and companionship;
- (g) Economic damages and losses including medical and counseling expenses; and
- (h) Other damages.

By reason of the foregoing, Plaintiffs have been damaged in an amount within the jurisdictional limits of this Court.

### **XIII. ESTATE DAMAGES**

Plaintiffs would show that as a result of the occurrence, ANGELINA MARIA SILVA ENGLISBEE and her estate were severely damaged. ANGELINA MARIA SILVA ENGLISBEE, Decedent, suffered injuries to her body. Plaintiff ANGELINA MARIA SILVA ENGLISBEE suffered damages, including but not limited to:

- (a) Pre-death fear, fright and mental anguish;
- (b) Conscious pain, suffering and excruciating physical agony prior to death;
- (c) Medical, hospital and nursing expenses;
- (d) Funeral expenses;
- (e) Other damages

### **XIV. PUNITIVE DAMAGES**

Plaintiffs would show that the acts and omissions of Defendants were intentional, grossly negligent, malice or in heedless and reckless disregard for the rights and safety of ANGELINA MARIA SILVA ENGLISBEE and showed actual conscious indifference and conscious disregard for the rights and safety of Deceased so as to constitute intentional acts, gross negligence and/or

malice being a proximate cause of the occurrence and the resulting damages and injuries sustained by Plaintiffs.

Plaintiffs are entitled to punitive damages because of Defendants' conduct, which when viewed objectively from the standpoint of Defendants at the time of the occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others and of which the Defendants had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others. Plaintiffs are entitled to punitive damages in a sufficient amount to punish Defendants for their reckless, heedless and intentional conduct and to set an example for others that such conduct will not be tolerated.

#### **XV. DAMAGES AMOUNT**

Plaintiffs have suffered damages within the jurisdictional limits of this Court. Pursuant to T.R.C.P. 47, Plaintiffs are required to plead the maximum amount of damages sought, however, some damages are unliquidated and cannot be easily calculated in monetary terms. Plaintiffs request the jury be fair and reasonable in its determination of actual damages in an amount over \$1,000,000.00.

#### **XVI. REQUEST FOR DISCLOSURE**

Pursuant to Rule 194, Defendants are requested to disclose within the time period set forth in Tex. R. Civ. P. 194.3 the information or material described in Rule 194.2(a) - 194.2(l).

#### **XVII. JURY REQUEST**

Plaintiffs respectfully request a trial by jury of the issues in this case.

#### **XVIII. PRAYER**

**WHEREFORE PREMISES CONSIDERED,** Plaintiffs pray that Defendants be cited to

appear and answer, and that on final trial, Plaintiffs have judgment against Defendants jointly and severally, for all relief requested, for costs, pre-judgment and post judgment interest and for such other relief, general and special, at law or in equity, to which Plaintiffs are justly entitled.

Respectfully submitted,

**SCHERR & LEGATE, PLLC**

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