

<p align="center">HARMFUL ACCESS BY COMPUTER TEX. CIV. PRAC. REM. CODE CH. 143</p>	<p align="center">UNLAWFUL DISCLOSURE OR PROMOTION OF INTIMATE VISUAL MATERIAL TEX. CIV. PRAC. REM. CODE CH. 98B</p>	<p align="center">MALICE TEX. CIV. PRAC. REM. CODE CH. 41</p>
<p>TEX. PEN. CODE §33.02—Breach Of Computer Security TEX. PEN. CODE §33.07—Online Impersonation</p>	<p>TEX. PEN. CODE §21.16—Unlawful Disclosure or Promotion of Intimate Visual Material TEX. PEN. CODE §21.19—Unlawful Electronic Transmission of Sexually Explicit Visual Material</p>	<p>TEX. CIV. PRAC. REM. CODE CH. 98B—Unlawful Disclosure or Promotion of Intimate Visual Material Invasion of Privacy By Intrusion Invasion of Privacy By Publication of Private Facts Intentional Infliction of Emotional Distress</p>
<p align="center">LIABILITY</p>	<p align="center">LIABILITY</p>	<p align="center">LIABILITY</p>
<p align="center">Under § 33.02</p> <p>Did:</p> <ol style="list-style-type: none"> Defendant knowingly or intentionally accesses a computer, computer network, or computer system; and without the effective consent of Plaintiff §33.02(a). with the intent to harm Plaintiff §33.02(b-1). <p align="center">Under § 33.07</p> <p>Did:</p> <ol style="list-style-type: none"> Defendant use the name or persona of Plaintiff to: (1) create a web page on a commercial social networking site or other Internet website; or (2) post or send one or more messages on or through a commercial social networking site or other Internet website. without obtaining Plaintiff's consent; with the intent to harm Plaintiff. §33.07(a). sends an electronic mail, instant message, text message, or similar communication that references a name, domain address, phone number, or other item of identifying information belonging to Plaintiff. §33.07(b). 	<p align="center">Under § 98B(a)</p> <p>Did:</p> <ol style="list-style-type: none"> Defendant disclose the intimate visual material; without the effective consent of Plaintiff; with the intent to harm Plaintiff; Defendant knows or has reason to believe that the intimate visual material was obtained by Defendant or created under circumstances in which Plaintiff had a reasonable expectation that the material would remain private; the disclosure of the intimate visual material reveals the identity of Plaintiff; the disclosure of the intimate visual material causes harm to Plaintiff. <p align="center">Under § 98B(b)</p> <p>Did:</p> <ol style="list-style-type: none"> Defendant promote intimate visual material ... on an Internet website or other forum for publication that is owned or operated by Defendant 	<p align="center">Under § 41.007</p> <p>Did:</p> <ol style="list-style-type: none"> Defendant act with a specific intent; to cause substantial injury or harm to Plaintiff; Plaintiff prove malice by clear and convincing evidence; One or more of the following factors are found: <ul style="list-style-type: none"> <i>Nature of the Wrong;</i> <i>Character of the Conduct;</i> <i>Degree of the wrongdoer's culpability;</i> <i>Situation & Sensibilities of Parties;</i> <i>Public sense of justice & propriety;</i> <i>Defendant's Net Worth;</i> <i>The Frequency of the Wrongs Committed; and</i> <i>Deterrent Effect.</i>
<p align="center">DAMAGES</p>	<p align="center">DAMAGES</p>	<p align="center">DAMAGES</p>
<p>ACTUAL DAMAGES – repair a wrong or compensate an injury (includes non-economic damages and mental anguish)</p>	<p>MENTAL ANGUISH – high degree of mental pain and distress that causes a substantial disruption in the injured person's daily routine – considering the nature, duration, and severity of harm.</p>	<p>EXEMPLARY DAMAGES – specific intent to cause substantial injury or harm.</p>

