

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

DENTON EUGENE LOUDERMILL JR.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:24-cv-2126
v.	)	
	)	
RICHARD RAY BRATTIN, JR.,	)	
	)	
Defendant.	)	

**EXHIBIT 1 TO DEFENDANT’S MOTION TO**  
**DISMISS**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

DENTON EUGENE LOUDERMILL JR.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:24-cv-2126
v.	)	
	)	
RICHARD RAY BRATTIN, JR.,	)	
	)	
Defendant.	)	

DECLARATION OF RICHARD RAY BRATTIN JR.

I, Richard Ray Brattin Jr., pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of eighteen and competent to testify to the contents of this declaration.

This declaration is based on my own personal knowledge.

2. I am a duly elected Missouri State Senator representing Missouri’s 31st Senatorial District.

I have held this position since I was elected to the role in 2020 and sworn into office in January of 2021.

3. I do not live in the State of Kansas and have never lived in the State of Kansas. Rather, I reside in Harrisonville, Missouri.

4. I do not conduct business or hold employment in the State of Kansas, and have not conducted business or held employment in the State of Kansas since at least before February 14, 2024. The Missouri Senate provides me an official office in the State Capitol Building located in Jefferson City, Missouri, and I split my time between my office in Jefferson City, Missouri and my Missouri Senate district.

5. I am submitting this Declaration in support of my Motion to Dismiss in the case captioned *Loudermill v. Brattin*, Case No. 2:24-cv-2126 in the Federal District Court for the District of Kansas. In Plaintiff Denton Loudermill’s Complaint in the same case, he alleges that, on February

15, 2024, I (to quote the allegations in the Complaint rather than affirm them to be true), “published, caused to be published, or permitted to be published on X, formerly Twitter, an image that consisted of a photograph of Plaintiff and referred to Plaintiff as an ‘illegal alien’ and a ‘shooter’ at the Kansas City Chiefs’ celebration event.”

6. On information and belief, Plaintiff is referring to a post I published on X, formerly Twitter, that is attached as Exhibit A to this affidavit (the “X post”).

7. I posted the X post on February 15, 2024 in Cole County, Missouri while I was engaged in my regular duties as a Missouri State Senator.

8. The post I was responding to in my X post relates solely to events that occurred within Missouri, specifically the tragic shooting that occurred at the Kansas City Chiefs’ Super Bowl Parade in Kansas City, Missouri. My X post, responding to a message posted on social media, related to these events and the national policy issue of illegal immigration. At no point, in either my X post or the post I was responding to, is either the State of Kansas or Plaintiff’s name mentioned or referenced.

9. At no point did my X post identify Plaintiff as a citizen of the State of Kansas, identify Plaintiff in any picture as Denton Eugene Loudermill Jr. (a person I did not know and have never spoken with), or claim that Plaintiff was a citizen of the State of Kansas.

10. I did not attend the Kansas City Chiefs’ Super Bowl Parade and did not take any pictures of Plaintiff at the Kansas City Chiefs’ Super Bowl Parade.

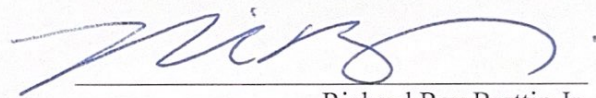
11. At no point, either on February 15, 2024 or at any other time, did I intend to direct my X post at the State of Kansas, intend to direct my X post at a Kansas audience, discuss any event occurring in Kansas, or discuss any person I knew to be a citizen of the State of Kansas.

12. As an elected Missouri State Senator representing approximately 174,000 citizens in the State of Missouri, the primary audience of my posts on X are my constituents and other people located in Missouri. Although I cannot control who does or does not follow or interact with my messages, I do not specifically target a Kansas audience with my posts.

\* \* \*

This declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 1<sup>st</sup> day of May, 2024.

  
Richard Ray Brattin Jr.

# **EXHIBIT A**



**Rick Brattin** @RickBrattin · 4h  
**@POTUS CLOSE THE BORDER!**

**Deep Truth Intel** @De... · 15h · 🗨️

The Kansas City Chiefs Super Bowl Parade shooter has been identified as 44-year-old Sahil Omar, an illegal immigrant.

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🗨️ 10

📄 3

❤️ 9

👁️ 547

