



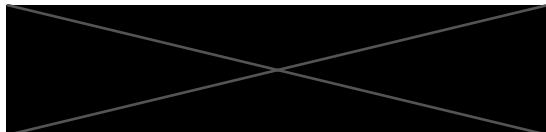
Jesse Franklin-Murdock



January 27, 2026

VIA CERTIFIED MAIL AND EMAIL

Brandon Herrera



VIA U.S. MAIL AND EMAIL

Brandon Herrera Victory Committee



Re: Cease and Desist Fraudulent Fundraising Activities

Dear Mr. Herrera and Brandon Herrera Victory Committee:

We represent President Donald J. Trump and Never Surrender, Inc., President Trump's leadership PAC. I write to address the unauthorized and deceptive use of President Trump's image and likeness by Mr. Herrera's joint fundraising committee, Brandon Herrera Victory Committee (the "Committee"), to garner support for Mr. Herrera's campaign.

We have learned of at least one mailer issued by the Committee on Mr. Herrera's behalf that gives voters the false impression that President Trump has endorsed Mr. Herrera or otherwise approved of Mr. Herrera using President Trump's image and likeness in campaign literature. The mailer at issue contains the header "BRANDON HERERRA'S TOWN HALL SCHEDULE." The left third of the mailer features side-by-side images of Mr. Herrera and President Trump against a mountainous backdrop, which has been edited to appear as though they are posing together.

This mailer's use of President Trump's image and likeness grossly mischaracterizes President Trump's position with respect to the Republican primary election in Texas's twenty-third congressional district. On December 18, 2025, President Trump endorsed one of your opponents, Congressman Tony Gonzalez.¹ President Trump has never issued an endorsement of Mr. Herrera. The mailer described above is inconsistent with President Trump's unequivocal endorsement of Congressman Gonzalez, and it is

¹ President Donald J. Trump, @realDonaldTrump, Truth Social (Dec. 18, 2025, 1:13 p.m.), <https://truthsocial.com/@realDonaldTrump/posts/115742633193769571>.

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likely to confuse voters with respect to President Trump's preferred candidate in the primary election. In short, the Committee's mailer uses President Trump's image and likeness in a deceptive manner that is contrary to President Trump's stated position regarding the primary election.

This misuse of President Trump's image and likeness must cease immediately. In addition to the public opprobrium that Mr. Herrera and Committee would undoubtedly suffer should they continue with this deception, they may be exposed to legal consequences.

Thank you for your attention to this matter.

Regards,



Jesse Franklin-Murdock