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FEDERAL COMMUNICATIONS COMMISSION
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FCC MAIL BRANCH

July 27, 1992

Richard A. Burton
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PR DOCKET NO. 92-144 (MOTION TO CHANGE VENUE)

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The Honorable Edward J. Kuhlmann
Administrative Law Judge
Federal Communications Commission
2000 L Street, Room 224
Washington, D. C. 20554

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Dear Judge Kuhlmann:

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I would like to take this opportunity to thank you and the Commission for allowing me, your valuable time, and the chance to present my case. I received Judge Joseph Stirmer's order (FCC 92M-772) in which, he has scheduled a hearing for September 8, 1992 at 10:00 a.m. in Washington, D. C.

I would like to petition the court for a: MOTION TO CHANGE VENUE. Pursuant to 47 U.S.C. § 311 (b) "Place of hearing". Which states, in part, "...the Commission shall consider whether the public interest, convenience, or necessity will be served by conducting the hearing at a place in, or in the vicinity of, the principal area to be served by the station involved." Moving the venue from Washington, D. C. to the U.S. Courthouse at 312 North Spring Street, Los Angeles, CA 90012 will only reinforce the meaning of the public interest, convenience or necessity. My request is not frivolous as I shall try and explain for the court.

On December 21, 1991 I was admitted to Harbor - U.C.L.A. Medical Center, Torrance California 90509, for emergency treatment of a life-threatening illness. I suffered from: acute respiratory failure, obesity induced hypoventilation, ventricular heart failure, edema, lucid lethargy, and a severe confusional state. Treatment progressed after a prolonged stay in the hospital. Doctor Scott Rosenberg, my attending physician, ordered the placement of a tracheostomy tube in my neck in an effort to relieve my breathing difficulties. The operation was completed on January 7, 1992 and I was released on January 15, 1992. Doctor Rosenberg has expressed a desire that I remain close to the hospital barring any complications. I now suffer from shortness of breath, fatigue and obesity. Flying to Washington, D. C. is out of the question.

Next, the out of pocket expenses of flying to Washington, D. C., renting a hotel room plus a car and food are beyond my means. And if you count the added expenses of flying any witnesses plus an attorney I could not possibly afford defending my case. Your Honor,

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I have been living on California State Disability for almost a year and the coverage will end in September of this year. Also prior to being disabled I was unemployed for almost six months.

This whole process is happening at such a rapid pace I wish it could be slowed down. I am not an attorney nor have I been able to find one, in the Los Angeles area, who knows anything about administrative law or the FCC. Then I have the problem of finding one which will take the case pro-bono.

In closing, Judge Kuhlmann, I hope you will be benevolent in granting my motion for a change of venue, as I believe it will be in the public interest convenience and necessity, and also a continuance of time so that I may put together my case in a proper prospective.

Again, thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard A. Burton".

Richard A. Burton