Before the

FEDERAL COMMUNICATIONS COMMISSION
Washington, DC, 20554

In the Matter of)
Creation of a Low) MB Docket No. 99-25
Power Radio Service)

My name is Joseph D'Alessandro (WREBG-LP), and I strongly support any actions the Federal Communications Commission can take to expand and support the Low Power FM radio service.

"Substantive Due Process of Law, and Civil, and Legal Rights."

(I) I must have have Primary Status, i have $20,000.00 thousand dollars in my station now. As of Tuesday, 26 July, 2005 i am investing another $10,000.00 thousand

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I am not crazy i am protecting what is mine.

"If you do not know your rights you have no rights"

SUBSTANTIVE DUE PROCESS OF LAW
You have no rights to take my freedom away.

This is what it conveys. The Law Of The Land Federal & State.
The "why" is substantive due process. Even if an unreasonable law and/or regulations (CFR) are and/or is passed and signed into law legally (procedural due process), substantive due process makes the law unconstitutional.

I will not be forced off the air. By Greed and Theft.
Wednesday, August 10, 2005

Three LPFM stations will be forced off the air by this theft and Greed

Do not look for a 12 b6 dismissal futhermore it violates my "Substantive Due Rights"

Stare Decisis
The precedent decisions are to be followed by the courts.

2. If a court converts a rule 12(b) dismissal into a summary judgment motion, then it must give the parties notice
and an opportunity to be heard. Rule 12 (b) Jacobson v. A.E. Capital Corp. 50 F.3d 1493, 1496 (9th Cir. 1995).
Procedure Trest v. Cain 96-7901, cert grant May 27, 1997.

If a judge does not fully comply with the Constitution, then his orders are void, In re Sawyer, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason. When a judge acts as a trespasser of the law, when a judge does not follow the law, the judge loses subject- matter jurisdiction and the judges orders are void, of no legal force or effect.

The Honorable James F. Sensenbrenner, Jr (Chair) Judiciary Committee
United States House of Representatives
2449 Rayburn House Office Building
Washington, D.C. 20515-4905

Justice Stephen Breyer Chairman of the Judicial Conduct and Disability
Act Study Committee
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E. Room 6100
Washington, D.C. 20002-8003

Preface:
PRO SE RIGHTS: Stare Decisis

Picking v. Pennsylvania Railway, 151 F.2d. 240, Third Circuit Court of Appeals
The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities."

Conley v. Gibson, 355 U.S. 41 at 48 (1957)

"Following the simple guide of rule 8(f) that all pleadings shall be so construed as to do substantial justice"... "The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." The court also cited Rule 8(f) FRCP, which holds that all pleadings shall be construed to do substantial justice.

Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240; Pucket v. Cox, 456 2nd 233

Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers.

Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar, 377 U.S. 1; v. Wainwright, 372 U.S. 335; Argersinger v. Hamlin, Sheriff 407 U.S. 425

Litigants can be assisted by unlicensed laymen during judicial proceedings.

Davis v. Wechler, 263 U.S. 22, 24; Stromberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449

"The assertion of federal rights, when plainly and reasonably made, are not to be defeated under the name of local practice."

Elmore v. McCammon (1986) 640 F. Supp. 905

"... the right to file a lawsuit pro se is one of the most important rights under the constitution and laws."

Federal Rules of Civil Procedures, Rule 17, 28 USCA "Next Friend"

A next friend is a person who represents someone who is unable to tend to his or her own interest.

Haines v. Kerner, 404 U.S. 519 (1972)

"Allegations such as those asserted by petitioner, however inartfully pleaded, are sufficient"... "which we hold to less stringent standards than formal pleadings drafted by lawyers."

Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938)

"Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment."

NAACP v. Button, 371 U.S. 415); United Mineworkers of America v. Gibbs, 383 U.S. 715; and Johnson v. Avery, 89 S. Ct. 747 (1969)

Members of groups who are competent nonlawyers can assist other members of the group achieve the goals of the group in court without being charged with "unauthorized practice of law."

Puckett v. Cox, 456 F. 2d 233 (1972) (6th Cir. USCA)
It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in Conley v. Gibson (see case listed above, Pro Se Rights Section).

Roadway Express v. Pipe, 447 U.S. 752 at 757 (1982)
"Due to sloth, inattention or desire to seize tactical advantage, lawyers have long engaged in dilatory practices... the glacial pace of much litigation breeds frustration with the Federal Courts and ultimately, disrespect for the law."

Sherar v. Cullen, 481 F. 2d 946 (1973)
"There can be no sanction or penalty imposed upon one because of his exercise of Constitutional Rights."

Schware v. Board of Examiners, United State Reports 353 U.S. pages 238, 239.
"The practice of law cannot be licensed by any state/State."

Sims v. Aherns, 271 SW 720 (1925)
"The practice of law is an occupation of common right."

Page 1 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Joseph D'Alessandro and Class Action Pro Se & Pro Socia and alike citizens of the Republic
Of The United States for example Frank Patterson's WFBP- LP/Taylors, SC and WEES-LP 107.9 FM

Ocean City Maryland CLASS ACTION SUIT Plantiff Joseph D'Alessandro lawsuit in which Plantiff Joseph D'Alessandro one files a complaint on behalf of Plantiff Joseph D'Alessandro himself and all other people who are "similarly situated" (suffering from the same problem). A large number of people have comparable complaints and/or claims. 23136 Prince George Drive Angola Estates Lewes, Delaware 19958-9342

Plantiffs'

Civil Docket No.

VERIFIED COMPLAINT DEMAND A JURY TRIAL (seventh amendment)

v.

UNITED STATES OF AMERICA
through The Federal Communications Commission "de jure monopoly"
and federal employees in there official capacity
and individual capacity.
defendants

JOINDER OF PARTIES ONE LAWSUIT FEDERAL RULES OF CIVIL PROCEDURE
Rule 19-- Joinder of Persons Needed for Just Adjudication
JOINDER - The uniting of several causes of action or parties in one civil lawsuit.
And JOINDER OF ACTIONS ex delicto
Defendant List as follows.

CXR Holdings, Inc. THROUGH a foreign corporation and/or entity under the law.
Cox Television Atlanta, GA
Defendants

GREAT SCOTT BROADCASTING a foreign corporation and/or entity under the law
224 MAUGERS MILL ROAD
City POTTSTOWN PA.
Defendants

Dow Lohnes & Albertson THROUGH a foreign corporation and/or entity under the law
kevin f. reed
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036 -6802
Defendants

Leventhal Senter & Lerman PLLC a foreign corporation and/or entity under the law
dennis p. corbett
Suite 600
2000 K Street, N.W.
Washington, D.C. 2000

Defendants

Vinson & Elkins, LLP a foreign corporation and/or entity under the law
mark n. lipp
1455 Pennsylvania Avenue, N.W.
Defendants

Shainis & Peltzman, Chartered a foreign corporation and/or entity under the law
lee j. peltzman
1850 M Street, N.W. Suite 240
Washington, DC 20036
Defendants

WOLC MARANATHA, INC. a foreign corporation and/or entity under the law in its
official capacity as a full p[ower FM Station and the
following individuals in there individual capacity.
President, Robert Shores, Vice President, Larry Davis Treasurer, Gordon Marsh
Secretary, Bruce Pape Donald Andrews Jeff Phillips Ralph Scott Bruce Ward
Roger Marino Harry Alexander Vernon Downes John Hopkins
MAILING ADDRESS P. O. BOX 130
P. O. BOX 130
PRINCESS ANNE STATE MD
Defendants

National Association of Broadcasters a foreign corporation and/or entity under the law
1771 N Street, NW
Washington, DC 20036
and in their official capacity and as a individuals
Edward O. Fritts President and CEO Washington, DC
NAB Executive Offices

Andrew S. Fisher President Atlanta, GA
Cox Television a foreign corporation and/or entity under the law

Alan W. Frank President and CEO Detroit, MIPost-Newsweek Stations, Inc.
a foreign corporation and/or entity under the law

Dean Goodman President/COO West Palm Beach, FL
Paxson Communications Corporation a foreign corporation and/or entity under the law

Bruce T. Reese President/CEO Salt Lake City, UT
Bonneville International Corporation a foreign corporation and/or entity under the law

Benjamin W. Tucker Jr. Acting President/CEO Seattle, WA
Fisher Communications Company a foreign corporation and/or entity under the law

W. Russell Withers Jr. Owner Mount Vernon, IL
Withers Broadcasting Companies a foreign corporation and/or entity under the law

Northern Neck & Tidewater Communications a foreign corporation and/or entity under the law
P.O. Box 1800 Raleigh N.C. 27602
Defendants

I. JURISDICTIONAL BASIS

Only Sec. 301 deals with radio and its pertinent sections read as follows:

Is the FCC enforcing the law when it prosecutes low-power broadcasters, or is it engaged in perpetrating

a grievous fraud against the American people?

According to Federal Law 47 CFR Sec. 0.405 Statutory Provisions

The Federal Communications Commission was created by the Communications Act of 1934, 48 Stat.

1064, June 19, 1934, as amended, 47 U.S.C. 151-609.

The FCC was created by an ACT OF CONGRESS. For the purpose of regulating interstate and foreign

commerce. The power of law is in the details, especially the definitions of words and phrases. Just what is

interstate and foreign commerce in communication by wire and radio"?

The common meaning of the word "interstate" is "of, connecting, or existing between two or more

states...."

"Commerce," in this context, means "the exchange or buying and selling of commodities on a large scale

involving transportation from place to place."

"Foreign" means "situated outside a place or country."

This is The Law you just can not change it for your benifit. That is Mis Prison Of a Felony.

UNDER FEDERAL LAW AND TITLE 15 COMMERCE AND TRADE CHAPTER 1—MONOPOLIES AND COMBINATIONS THE FCC DOES NOT HAVE JURISDICTION OVER WRBG-LP OR ANY LPFM STATION OR ANY CITIZEN OF THE REPUBLIC OF THE UNITED STATES WHO WISHES TO EXERCISE
THERE UNITED STATES CONSTITUTIONAL RIGHTS AND/OR FIRST, NINTH, AND FOURTEENTH
AMENDMENT RIGHTS. lpfm-lp Broadcast under "INTRASTATE" not "INTERSTATE".

"INTRASTATE" Relating to or existing within the boundaries of a state.
"INTERSTATE" Involving, existing between, or connecting two or more states.

The FCC exists solely to regulate "interstate and foreign commerce"; that is, commerce between states and other states and/or countries. Pertaining to low-power radio broadcasters and stations, 47 U.S.C. Chapter 5 applies ONLY to interstate and foreign communication or transmission, and clearly does NOT apply to commerce, communication, or transmissions taking place solely within the confines of one of the several states of the Union.

II. Federal questions and diversity of citizenship

FEDERAL TORT CLAIMS ACT IS VOID AND MOOT IN THIS JURISDICTION

III Plantiffs claims federal jurisdiction pursuant to Article II sec. 2 which extends the jurisdiction

to cases arising under The United States Constitution. And redressable pursuant to Bivens v. Six

Unknown Narcotics Agents 403 U.S. And The "why" is substantive due process.

(shocks-the-conscience) Even if an unreasonable law is passed and signed into law legally

(procedural due process), substantive due process makes the law unconstitutional.

Fed.R.Civ.P. 8(f) reads: "All pleadings shall be so construed as to do substantial justice."

Annotation
IV The United States to this date has not waved sovereign immunity for claims for damages.
See United States v. North Side Realty Associates 324 F. Supp. 287, 291 N. D. GA. 1971
Federal sovereign immunity is a defense to liability rather than a right to be free from trial.

The Supreme Court has ruled that in a case involving the government's sovereign immunity the statute
in question must be strictly construed in favor of the sovereign and may not be enlarged beyond the waiver its language expressly requires. See United States v. Nordic Village, Inc., 503 U.S. 30, 33-35 (1992).

Young v. Pierce DCTEX. 544 F. Supp. 1010

Mackey v. Indiana Hospital DCPA 562 F. Supp. 1251

Gallegos v. Haggerty, Norther District of New York 689 F. Supp. 93

Williamson v. U.S. Department of Agriculture, 815 F. 2d. 369, ACLU Foundation

V. Barr 952 F. 2d. 457, 293 U.S. Ap. DC 101. (CA DC 1991)

United States v. Olmstead, 277 U.S. 438 (1928)

V U.S. Code Title 28 sec. 1331 DENIED EQUAL PROTECTION

VI The ADMINISTRATIVE PROCEDURES ACT

§ 556. Hearings; The provisions in Section II on eligibility to deal with specific cases shall also apply to

civil law . (U. S. District Courts, 1789). ("quasi-statutory law")

pursuant to Title 28 sec. 1331, and ADMINISTRATIVE PROCEDURES ACT § 556. Hearings;

VII Bivens v. Six Unknown Narcotics Agents 403 U.S.

VIII 18 USC Sec. 241, Conspiracy against rights, and 18 USC Sec. 242 Deprivation of rights under

color of law.

IX U.S Codes, Title 42, Chapter 21, Subchapter I, Section 1983 - Civil Action for Deprivation

of Rights.

X The Federal Communications Commissions and The NAB are under authority of The

TITLE 15 COMMERCE AND TRADE CHAPTER 1—MONOPOLIES AND COMBINATIONS

IN RESTRAINT OF TRADE Commerce.

The Federal and State Anti Trust Laws (monopoly & oligopoly & cartel)

§ 2. Monopolizing trade a felony § 7. “Person” or “persons” defined

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with ny other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $10,000,000 if a corporation, or, if any other person, $350,000, or by imprisonment not exceeding three years, or by both said punishments, in the discretion of the court.

The word “person”, or “persons”, wherever used in sections 1 to 7 of this title shall be deemed to include corporations and associations (NAB) existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country. 1914 - Clayton Antitrust Act.

ANNOTATION.
47 U.S.C. Sec. 151 Purposes of Chapter; Federal Communications Commission Created For the purpose
of regulating interstate and foreign commerce in communication by wire and radio...there is created a commission to be known as the "Federal Communications Commission" The FCC was created by an ACT OF CONGRESS "for the purpose of regulating interstate and foreign commerce...." The power of law is in the details, especially the definitions of words and phrases. Just what is "interstate and foreign commerce in communication by wire and radio" The common meaning of the word "interstate" is "of, connecting, or existing between two or more states Commerce," in this context, means "the exchange or buying and selling of commodities on a large scale involving transportation from place to place.

Sherman Antitrust Act of 1890, Hart-Scott-Rodino Antitrust Improvements Act, Common law,

Federal Trade Commission Act, Robinson-Patman Act, Sherman Antitrust Act, Antitrust deals with the area

of law concerned with maintaining competition in private markets. The American antitrust and fair trade laws

protect and promote competition in the free enterprise system. These laws provide remedies for businesses

and consumers from the effects of monopolization and conspiracy, fixed prices, boycotts, refusals to deal,

divided markets, etc.

The NAB and Ed Fritz have used deception by and/or to prevent the disclosure or recognition of

The NAB's (monopoly & oligopoly & cartel), by using The FCC as a Federal Government "de jure monopoly"

(monopoly & oligopoly & cartel). MIS-PRISON OF FELONY

(f) TITLE 18 PART I CHAPTER 96 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

sec. 1962. Prohibited activities sec. 1964. Civil remedies sec. 1968. Civil investigative demand

XI COUNT 1 CONSTITUTIONAL COMPLAINT (shocks-the-conscience)

The "why" is substantive due process. Even if an unreasonable law is passed and signed into law legally

(procedural due process), substantive due process can make the law unconstitutional. The Roe v Wade abortion

decision declared a Texas law in violation of due process.

The Fourteenth Amendment prohibits the deprivation of liberty or property without due process of law. A due

process claim is cognizable (Knowable) only if there is a recognized liberty (Freedom from unjust

or undue governmental control) or property (Something tangible or intangible)

interest at stake. Board of Regents v. Roth, 408 U.S. 564, 569 (1972).

futhermore you are deliberately causing LEGAL ABUSE SYNDROME mental and physical damage, i am

disabled and my life savings are invested in this LPFM station, over $20, 000.00 plus a 25 year lease for studio,

and bills, and thousands of dollars cost (intangibles and tangibles) I was forced by The FCC to purchase

thousands of dollars worth of equipment to broadcast under there jurisdiction, then they

usurp my substantive rights by leaving me no protection aganist The NAB, by being able

for The NAB to force WRBG-LP off the air LEGAL ABUSE SYNDROME and

shocks-the-conscience.

WRBG-LP can not be forced off the air by greed (oligopoly & cartel) and to dominate, The Public Air

Spectrum by excluding others. My Life savings are in this WRBG-LP. (Our Lives will be rendered

useless or ineffective)

My Community LPFM-LP Station must have rank position relative to my "SUBSTANTIVE RIGHTS"

and "SUBSTANTIVE DUE PROCESS OF LAW AND/OR CIVIL RIGHTS" and "DUE PROCESS OF LAW "

The United States Constitution. Clauses of the First, Fifth, Ninth, and Fourteenth Amendments

"Substantive Due Process" is the fundamental constitutional legal theory upon which the Griswold/Roe/Casey

privacy right is based. The doctrine of Substantive Due Process holds that the Due Process Clause not only

requires "due process," that is, basic procedural rights, but that it also protects basic substantive rights.

"Substantive" rights are those general rights that reserve to the individual the power to possess or to do certain

things, despite the government’s desire to the contrary. These are rights like freedom of speech. And

own a LPFM Community Radio Station.

XII COUNT 2 (shocks-the-conscience)

Under RICO ACT this is criminal extortion and collusion to steal frequences and steal 107.9 FM

An agreement between two or more persons, to defraud a person of his rights by the forms of law, and

to deprive Joseph D'Alessandro his money, property and/or Substantive legal rights.

If this goes on LPFM is Void and Moot. No LPFM is safe.

These Conglamorates attemt to manipulate the Law Cox Radio and Great Scott own

40% if not more, of all stations in this area

MB Docket RM Number Call Community of License Channel/Class Action Latitude Longitude
04-409 11108a WHKI WILLARDS MD 299B1 ADD 38.262 75.254
Petitioner CXR HOLDINGS, INC
Other proposed changes related to this docket:
MB Docket RM Number Call Community of License Channel/Class Action Latitude Longitude
Proposed By: DANA J. PUOPOLO
04-409 11108 PORT NORRIS NJ 299A ADD 39.246 75.034
Proposed By: DANA J. PUOPOLO
04-409 11108a WOLC FRUITLAND MD 273B ADD 38.324 75.619
04-409 11108a WOLC PRINCESS ANNE MD 273B DEL 38.324 75.619
04-409 11108a WOLC FRUITLAND MD 273B ADD 38.112 75.654
04-409 11108a WNNT WARSAW VA 298A ADD 37.944 76.751
04-409 11108a WDYL LAKESIDE VA 265B1 ADD 37.602 77.369
City Grade Contour (70 dBu [F50,50])

Subject: Willards has a population of 750 people do you think COX is putting 107.5 ala channell

change (107.7 FM) there for the Community or Money, this is illegal.

Willards Maryland has a population of 750 people do you think COX and Great Scott are moving 107.5 change

to (107.7) for the Community or MONEY or a monopoly & oligopoly & cartel.

There are proposed changes sitting in front of the FCC that if approved would move Great Scott's WKHI from

107.5 on the dial to 107.7. It also would change the city of license for Maranatha's 102-5 WOLC. CXR Holdings,

Inc., licensee of WDYL-FM in Chester, VA would like to change the frequency (or in technical terms- its channel)

and city of license for WDYL. However there are some changes that need to be made in order for this to be

accomplished. CXR’s consulting engineer found that if WKHI moved from the 107.5 frequency and Fruitland as its

city of license to 107.7 and Willards as its city of license they could get station WNNT in Warsaw, VA to move to a

different frequency or channel. This would then in turn allow WDYL to upgrade. None of this would have even been

proposed if it were not for Radio One’s WNSJ-FM which moved its tower from Bridgeton, NJ to get closer to

Philadelphia and changed its frequency from 107.7 to 107.9. The change of the frequencies also resulted in them

downgrading from a Class A signal to a Class B signal)…Anyway Great Scott does not have much say in the matter

as the FCC does have the right to force a station to move its frequency, however the station proposing the change

has to pay for the related expenses. According to CXR’s petition however, GSB has already agreed to move if the

FCC approves the changes. This could turn out to be real good for GSB as I believe they currently rent tower

space for 107.5, the move would allow them to possibly get on OC-104’s tower. Willards is also within 25 miles of

Georgetown where the GSB cluster is housed. I am not sure if they do now, but GSB is technically supposed to

have a “Main Studio” for WKHI within 25 miles of their city of license. The change to Willards would allow the

main building in Georgetown to act as the “main studio” although it already does. This would also give WKHI

better coverage over Sussex County which has more year round people, about 160,000 while Wicomico County has

70,000 and Somerset has 16,000. More people equals more ratings and ad revenue which they could use as WKHI

has suffered in the ratings. WKHI would also put a much better signal over Wicomico and Worcester County who

are still very important to the ratings. WKHI's signal would be limited however west of Salisbury where currently

you can pick up 107.5 as far west as Easton and sometimes Queenstown. This would also allow Great Scott, if they

so chose, to use their 103.5 signal as a simulcast for their Classic Rocker sister station 98-5 BIG which is tough to

pick up at the beaches. 103.5 WJNE has a beach signal since its tower is in Bethany Beach. At one time BIG was

simulcasted on 101-7, which puts also puts a strong signal over the beaches…There is also an FCC rule that does

not allow a city whose has been licensed a station to lose its station. To remedy this WOLC has agreed with CXR

to change its city of license from Princess Anne to Fruitland. WESM is already the primary station licensed to

Princess Anne anyway so there would not be a problem. This also may help WOLC who is looking to

add another signal at 88.3 on the FM dial and would apply to have Princess Anne be its

city of license…This all could have a negative impact on the LP-FM stations in Ocean City

(107.9 WEES) and Millsboro (107.9 WRBG)

which could be forced off the air…One of the hold ups with the proposed changes is from an individual or company

who has filed an application for a station in nearby Port Morris, NJ on the 107.7 frequency.

XIII Constitutional Points Of Authority

Miranda v. Arizona, 384 U.S. 426, 491; 86 S. Ct. 1603
"Where rights secured by the Constitution are involved, there can be no 'rule making' or legislation which would abrogate them."

Boyd v. United, 116 U.S. 616 at 635 (1885)
Justice Bradley, "It may be that it is the obnoxious thing in its mildest form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of the Courts to be watchful for the Constitutional Rights of the Citizens, and against any stealthy encroachments thereon. Their motto should be Obsta Principiis."

Gomillion v. Lightfoot, 364 U.S. 155 (1966), cited also in Smith v. Allwright, 321 U.S. 649.644
"Constitutional 'rights' would be of little value if they could be indirectly denied."

Juliard v. Greeman, 110 U.S. 421 (1884)
Supreme Court Justice Field, "There is no such thing as a power of inherent sovereignty in the government of the United States... In this country, sovereignty resides in the people, and Congress can exercise power which they have not, by their Constitution, entrusted to it. All else is withheld."

Mallowy v. Hogan, 378 U.S. 1
"All rights and safeguards contained in the first eight amendments to the federal Constitution are equally applicable."

Norton v. Shelby County, 118 U.S. 425 p. 442
"An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."

Owen v. City of Independence
"The innocent individual who is harmed by an abuse of governmental authority is assured that he will

be compensated for his injury."

XIV Parties

(a) Plantiff resides at Joseph D'Alessandro Pro Se & Pro Socia 23136 Prince George Drive Angola Estates

Lewes, Delaware 19958-9342

(b) Defendants reside at UNITED STATES OF AMERICA through The Federal Communications

Commission and federal employees in there official capacity and individual capacity, CXR Holdings, Inc.

THROUGH Dow Lohnes & Albertson 1200 New Hampshire Avenue, NW Suite 800 Washington, DC 20036 -6802

WOLC MARANATHA, INC. in its official capacity as a full p[ower FM Station and the

following individuals in there individual capacity. President, Robert Shores, Vice President,

Larry Davis Treasurer, Gordon Marsh Secretary, Bruce Pape Donald Andrews

Jeff Phillips Ralph Scott Bruce Ward Roger Marino Harry Alexander Vernon

Downes John Hopkins MAILING ADDRESS P. O. BOX 130 P. O. BOX 130 PRINCESS

ANNE STATE MD National Association of Broadcasters 1771 N Street, NW Washington, DC 20036

and in their official capacity and as a individual Edward O. Fritts President and CEO Washington, DC

NAB Executive Offices Andrew S. Fisher President Atlanta, GA Cox Television Alan W. Frank President

and CEO Detroit, MI Post-Newsweek Stations, Inc. Dean Goodman President/COO West Palm Beach,

FL Paxson Communications Corporation Bruce T. Reese President/CEO Salt Lake City, UT

Bonneville International Corporation Benjamin W. Tucker Jr. Acting President/CEO Seattle, WA

Fisher Communications Company W. Russell Withers Jr. Owner Mount Vernon, IL Withers Broadcasting

companies. GREAT SCOTT BROADCASTING a foreign corporation and/or entity under the law

Mailing Address 224 MAUGERS MILL ROAD City POTTSTOWN PA.

Leventhal Senter & Lerman PLLC a foreign corporation and/or entity under the law

Suite 600 2000 K Street, N.W. Washington, D.C. 2000

Northern Neck & Tidewater Communications a foreign corporation and/or entity under the law

P.O. Box 1800 Raleigh N.C. 27602

XV

See Exhibit A attached
See Exhibit B attached
See Exhibit C attached
See Exhibit D attached
See Exhibit E attached

XVI Prayer for Relief

Wherefore plaintiff prays this Court issue equitable relief as follows:

(A) AWARD PLANTIFF treble damages and exemplary damages.
(200 Million Dollars) and for mental and physical injury)

1. Issue injunctive relief

DATED Wednesday, August 10, 2005

Every thing stated or written in this Amended Complaint Is The Truth

Under Penaty Of Perjury and Jail Time and Fines.

Signed_____

Signed_____

Mr. & Mrs. D'Alessandro, Pro Se - Pro-Socia
94 Angola Estates, Prince George Drive
Lewes, Delaware 19958
302 945 1554
****

CERTIFICATE OF SERVICE

I, Joseph L. D'Alessandro, Sr., certify that on this date, I served a true and correct copy of the foregoing

Pleading on the following Defendants BY THE UNITED STATES DISTRICT COURT CLERKS

OFFICE FOR THE DISTRICT OF DELAWARE

DATED Wednesday, August 10, 2005