United States Court of Appeals

FOR THE EIGHTH CIRCUIT

CASE NO. 13-1506

Curtis J Neeley Jr.

Plaintiff - Appellant

v.

Federal Communications Commission, et al.

Defendants - Appellees

Appeal from U.S. District Court for the Western District of Arkansas – Fayetteville
(5:12-cv-5208-JLH)

REPLY TO BRIEF COMMENTS ADDRESSING GN DOCKET No. 13-86

INTRODUCTION

Chairman Genachowski sought review of the Commission's broadcast indecency policies and enforcement to ensure they are fully consistent with vital First Amendment principles and reduce the BACKLOG of pending indecency complaints revealing an utter FCC mission failure.

This reply addresses EVERY GN 13-86 filing relevant to pending *Neeley Jr v FCC et al,* (5:12-cv-5208)(13-1506) litigation demanding FCC regulation of interstate and world-wide wire communications used in commerce or the duty assigned in 1934 per 47 USC §151. This comment proceeding revealed a GREAT deal of dissatisfaction with the FCC by the commenters as well as hundreds seeking widespread broadcasts by wire or radio of anything indecent as would generally make the FCC an agency with little practical use, if any. No attorney in the USA would say many Eighth Circuit Judges are addicted to anonymous access to [sic] "internet" nakedness publicly and treat anonymous access to naked images as a fundamental right. Why would the ruling oligarchy differ from the averqage US citizen? FCC Public Notice was titled as follows with a PDF link to the PUBLIC NOTICE. No attorneys would file these communications and these wire communications were done perhaps due an extreme TBI?

FCC Cuts Indecency Complaints By 1 Million; Seeks Comment on Policy

COMMENTS SOUGHT

Departing Chairman Genachowski asked for comments regarding the current "egregious indecency" banning policy and this quickly generated disparaging comments by one notable communications law firm of Fletcher, Heald and Hildreth by Harry Cole Esq titled as follows.

Indecency Alert: New Unannounced "Egregiousness" Standard Now Apparently in Effect, But More Changes May Be On the Way, Eventually

The comment solicitation was a backwards attempt to respond to the aging judicial oligarchy as the effects of communications on the young becomes utterly lost as the aging judicial oligarchy serves long after the "*good behavior*" retirement age established by the Social Security Commission.

COMMENTS RECEIVED

Comments were received after 3/04/2013 as follows noted by day on April, **May**, June.

<1|0, 2|0, 3|10, 4|(11), 5|(35), 6|0, 7|0, 8|(1,053), 9|(23,475), 10|(26,297), 11|(5,193), 12|(6,799), 13|0, 14|0, 15|(5,779), 16|(2,030), 17|(1,608), 18|(953), 19|(1,074), 20|0, 21|0, 22|(1,608), 23|(1,357), 24|(2,136), 25|(1,272), 26|(5,926), 27|0, 28|0, 29|(3,288), 30|(1,292), **1|(1,038), 2|(260), 3|(184), 4|(0), 5|(0), 6|(281), 7|(179), 8|(85), 9|(83), 10|(181), 11|(0), 12|(0), 13|(388), 14|(318), 15|(153), 16|(57), 17|(100), 18|(0), 19|(0), 20|(167), 21|(842), 22|(246), 23|(102), 24|(105), 25|(0), 26|(0), 27|(0), 28|(208), 29|(44), 30|(13), 31|(78),**1|(0), 2|(0), 3|(82), 4|(202), 5|(110), 6|(114), 7|(468), 8|(0), 9|(0), 10|(589), 11|(85), 12|(63), 13|(309), 14|(541), 15|(0), 16|(0), 17|(429), 18|(1,380), 19|(1,009), 20|(229), 21|(26), 22|(0), 23|(0)>

The comments containing the ***SCOTUS singular construct*** promoted to an invalid legal word by Sir Lord Honorable John Paul Stevens of [sic] "*internet*" were carefully examined. The ***SCOTUS construct*** of [sic] "*internet*" is an inappropriate singular slang used in US law. The comments using the ***SCOTUS construct*** of [sic] "*internet*" are addressed in this reply and are distributed by date as follows.

Comments with the text [sic] "*internet*" April, **May**, June, **ALL**

<1|0, 2|0, 3|0, 4|1, 5|1, 6|0, 7|0, 8|(3), 9|(86), 10|(143), 11|(46), 12|(49), 13|0, 14|0, 15|(61), 16|(22), 17|(20), 18|(11), 19|(15), 20|0, 21|0, 22|(21), 23|(19), 24|(23), 25|(13), 26|(27), 27|0, 28|0, 29|(19), 30|(11), **1|(9), 2|(4), 3|(5), 4|0, 5|0, 6|(6), 7|(8), 8|(0), 9|(1), 10|(3), 11|0, 12|0, 13|(5),14|(4),15|(0), 16|(1), 17|(1),18|0, 19|0, 20|(3), 21|(17), 22|(6), 23|(4), 24|(1), 25|(0), 26|(0), 27|(0), 28|(1), 29|(1), 30|(0), 31|(1)**,1|(0), 2|(0), 3|(1), 4|(1), 5|(2), 6|(3), 7|(3), 8|(0), 9|(0), 10|(11), 11|(1), 12|(1), 13|(0), 14|(4), 15|(0), 16|(0), 17|(7), 18|(19), 19|(20), 20|(11), 21|(1), 22|(0), 23|(0)>

Another term that many equate with the inappropriate construct of [sic] "*internet*" is "*online*". This colloquial term was used by day as follows and only occurred with the undefinable slang construct [sic] "*internet*" in (5) comments. Karina Montgomery, Hayden Ganther, and Terry Smith, used both terms in support of more broadcasts of "porn". The other two were opposed to broadcasts of porn.

Comments with the text "*online*" April, **May**, June, **ALL**
<1|0, 2|0, 3|0, 4|(1), 5|(1), 6|0, 7|0, 8|(1), 9|(15), 10|(18), 11|(10), 12|(5), 13|0, 14|0, 15|(8), 16|(4), 17|(3), 18|(6), 19|(3), 20|0, 21|0, 22|(2), 23|(3), 24|(2), 25|(3), 26|(6), 27|0, 28|0, 29|2, 30|(1), **1|(2), 2|(0), 3|(1), 4|0, 5|0, 6|(1), 7|(0), 8|(0), 9|(1), 10|(1), 11|0, 12|0, 13|(0),14|(0),15|(0),16|(0),17|(0), 18|(0), 19|(0), 20|(1), 21|(3), 22|(1), 23|(), 24|(0), 25|(0), 26|(0), 27|(0), 28|(0), 29|(), 30|(), 31|(0)**,1|(0), 2|(0), 3|(0), 4|(0), 5|(1), 6|(0), 7|(0), 8|(0), 9|(0), 10|(1), 11|(1), 12|(1), 13|(0), 14|(2), 15|(0), 16|(0), 17|(2), 18|(5), 19|(5), 20|(7), 21|(0), 22|(0), 23|(0)>

HAYDEN PAUL GANTHER'S CONFUSION

Hayden Ganther's lengthy comment includes the following sentence that makes the twelve pages frivolous due to ignoring the *Pacifica* recognition that children have no First Amendment rights for parents to violate. Mr Ganther attempted to appear highly educated by Texas Christian University to perhaps be one educated counterpoint off-setting thousands of "AFA Christian reactionaries". Texas Christian University will regret having Hayden Ganther's "porn-support" associated with their school. The glaring error follows from page twelve.

> "*What is being proposed is, despite what the reactionaries insist, compatible with First Amendment principles.*"

From *Pacifica* the Supreme Court acknowledged as follows **invalidating Mr Ganther's lengthy comment** and reveals **ignoring** this fact for twelve frivolous pages.

> "*... 'a child ... is not possessed of that full capacity for individual choice which is the presupposition of First Amendment guarantees'.* ***Ginsberg v. New York****, supra, at 649-650 (STEWART, J., concurring in result). Thus, children may not be able to protect themselves from speech which, although shocking to most adults, generally may be avoided by the unwilling 438 U.S. 726, 758 through the exercise of choice.*"

COMMENTS RECEIVED conc

There were numerous comments with the SCOTUS construct of [sic] “internet” and numerous comments with the term “online” with five (5) using both after Mr Ganther and Terry Smith used both terms and also sought bypassing both *Pacifica* and *Miller*.

Terry Smith's Pursuit of ANY Porn “Broadcast”

Terry Smith entered a ten page comment that was generally well written and suggested making indecency complaints require accepting liability for frivolity, as would be prudent. Mr Smith then went on to call ANY standard set for “common decency” to be founded on “bigotry” making his manifesto dismissible. Mr Smith declared himself a “scientific pantheist pagan”. Refusing to accept any and all requirements for decency makes the comment by Terry Smith require acceptance of the “scientific pantheist pagan” religion or “hate cult”for ANY validity. This corporate “hate cult” believes anything and everything is protected by the First Amendment and holds “any belief that 'indecency' exists at all” is a rejection of the fundamental imaginary construct of [sic] “internet” where anything goes. This single contention makes the otherwise, well written comment, impossible to respect and useful only due to encouraging responsibility for complaints as appears should be considered if adequate notice is first given to complaining parties.

COMMENTS WITH USES OF [sic]“internet” OR “online”

Curtis J Neeley Jr. examined each of the comments and there were (41) hoping egregious indecency would now be shown on public RF broadcasts of video and audio in addition to public broadcasts by wire of video and audio whether these wires are cable TV wires or [sic] “*internet*” wires. These commenters generally did not wish the FCC to perform the clear statutory mission of ensuring the safety of distant communications broadcast in commerce required by 47 USC §151 and hoped the egregious nonfeasance occurring on public wire broadcasts defined in 47 USC §153 ¶(59) would extend to RF broadcasts also. These (41) public comments are linked to commenter name or alias and this linked page and follow though Jared Totsch did not use [sic]“internet” in the preceding comment or the one linked below.

(Alex Elert, Allease Wright, Andrew Reis, Bob Alberti, Bob Zollo, Brad Miller, Brent Baker, Dan Fischbach, Daniel Anderson, Daniel Lewis, David Naylor, David Woolsey, Desaun Bowen, Devin LeLeux, George Davis, Hayden Paul Ganther-12pg, Heather Loveridge, Jacob Schulz, James Frank Brockson, Jr., Jamie Pasternak, Jared Totsch, Jeromie Esterline, Jerry Jones, John Hundley, Jordan D. White, Joshua Rutterbush, Michael Parrish, Mike Cappiello, Myrle Nugent, Ndubuisi Okeh, One Million Moms(alias), Paul Shaikh, Raeford Brown, Rob Pugh, Ryan Marsh, Shayna Smith, Terry Smith, Tom Geissinger, Tony Andrys, Victor Wilson, William Russell Gray, William Spry)

The “porn” supporters listed/linked above were encountered while looking at EVERY comment with the text [sic]“internet” or “online”. These “porn-hounds” would appreciate departing Chairman Genachowski's inappropriate First Amendment concerns when public safety is imperiled by egregious free speech or egregious indecent expressions NOT protected by ANY Amendment. See *Schenck v. United States,* 249 U. S. 47, 249 U. S. 52, *Wisconsin v. Yoder*, 406 U.S. 205 (1972), and *Pierce v. Society of Sisters*, 268 U.S. 510 (1925).

REPETITIVE OPPOSITION TO THE AMERICAN FAMILY ASSOCIATION (AFA)

(330+) anti-AFA comments wished for more porn on broadcasts of audio and video regardless of medium. The safety of public broadcasts of communications must be ensured per the Communications Act of 1934, as amended. The safety of distant broadcasts of wire and radio communications is required by the Communications Act of 1934 and was supported by the 1978 *Pacifica* SCOTUS ruling or explanation as well as common sense that is apparently no longer common in much of the United States. The (330+) anti-AFA porn supporters wished for expanded porn on RF broadcasts but did not generally use the slang of [sic]"*internet*" and were therefore given perfunctory examination due to being almost the same "*copy-and-paste*" comments in direct opposition to American Family Association(AFA) originating from here. The AFA comments were decidedly more genuine but misguided due the inaccurate AFA action alert supporting comments like by Terry Smith. This comment was likely to have been motivated by an AFA action alert counter-alert done on an atheist forum posted by Eric Gallini as follows.

http://www.reddit.com/r/atheism/comments/1bzowe/fcc_to_allow_partial_nudity_christian/

Eric Gallini was pleased to learn hundreds of copies of his porn support had been submitted when contacted by Curtis J Neeley Jr. Robert Gaiser filed two (1, 2) conflicting comments but seeks relaxation of indecency regulations. This was determined after speaking with Mr Neeley. Bob Gaiser is one good example of why judges should be required to retire at age 65 or be reaffirmed yearly. Mr Gaiser is around 63 and shows early effects of aging or senility on logical thinking and written comments.

COMMENTS SEEKING BAN OF "PORN" BROADCASTS REGARDLESS OF MEDIUM

The following commenters generally not only sought continued banning of radio/television broadcasts of nakedness and indecent audio but also sought an end to current FCC nonfeasance on regulation of broadcasting by wire and radio generally whether called [sic] "*internet*" or "online".

("Aaron",Amy Garst, Ave Hurley, Betty Harrill, Blanche Day, Bob Stone, Brenda Heslop, Bruce Yovich, Calvin Simmons (good), "Carla", Carol Nibbelink, Carolyn P Black, Cecily Dossett, Christy Asbury, Craig Beitinger, Crystal Oprea, Curtis J Neeley Jr, Dale Hulse, "Dan", Dana Blondo, Danya", Dave Jackman, Denna L Davis, "Destroyed Family", Don Yeater, Emily Peterson, Frances Ivanov, George R. Jennings Jr., Gerry Nelson, Gilbert Mejia, "Goldia", Greg Carlisle, James Bushnell, JAMES LASSITER, Jessica Wilemon, *Jerry Shearer*, Joani Hatch, "Jodie", Joel Wright, Johannes Perlmuther, John Pombrio GOOD, Karl Mathias, Kevin McWilliams, Kurt Rowley, Ph.D., L & T Lang, Lauren Hales, Laurie Kraemer, Linda M Bunsen, Lindy Deen, Lucille Mendenhall, M.C.Gens, Marcus Nelson, Marcy West, Matt Packard, Megan Powell, Michael G. O'leary, Michael Keller, Moana Wilcox, Myron Taylor, Naomi Brown, Niki Jensen, Noelle Chin, Parent Television Council, Patricia Strickland, Paul & Lori Wagner, Phil Crandall, Rayda L Renshaw, Richard C. August, Richard John, Richard P. Felix, Robert H. Pettitt, Robert Ziccarelli, Ron Raridon, Scott Obermann, Shanna Ormond, Sherry Hepler, Stefan Batchvarov, Stephen Crowell, "Tara", Ted Kilcup, Todd Manson, Tom Kennedy, Torrie Young, W.Harrington, William Eckmann)

COMMENTS SEEKING BAN OF PORN ON THE *PORN-BY-WIRE* OF [SIC] "*INTERNET*"

Comments seeking [sic] "*internet*" wire broadcasting regulation EXACTLY like demanded in Neeley Jr v FCC were common. Curtis J Neeley Jr is not alone and will help anyone else willing to fight.

1. Aaron: I also formally request that you enforce this law and hold broadcasting stations and the internet accountable.
2. John Pombrio: I would advocate that the FCC rules be extended to include the internet in general as well. It should be required to register or otherwise enable someone to go down this path.
3. L & T Lang: Hopefully this will affect Cable and Internet programming as well.
4. Linda M Bunsen: Don't need porn on the internet.
5. Lucille Mendenhall: Protect our children and us from further internet and TV filth.
6. M.C.Gens: I, my children and grandchildren are offended by adult nudity and profanity of any kind on tv, radio, in films, internet or print.
7. Marcy West: I want tv and the internet free from nudity and cussing...Please regulate our internet... for our children. No Nudity please!!!
8. Michael G. O'leary: pornography needs to be taken off tv and also the internet as well.
9. Michael Keller: As a young child I was inadvertently exposed to nudity on the internet. Ever since this early exposure I have fought with an addiction to pornography.
10. Naomi Brown: Please work to clean up the internet and Cable TV as well.
11. Noelle Chin: It is my personal opinion that we need to get regulations on internet as our children can easily get access to things they should be shelter from and I believe you now are embarking on the same road.
12. Parent Television Council: Keep kids films in movies, TV, and Internet CLEAN. We are against any more allowance of profanity or nudity in the media no matter what the venue: tv, radio, newspaper, Internet.
13. Phil Crandall: I'd strongly encourage the FCC to enforce it's statutory responsibility and subject all forms of "wired communication" including the internet to the current standards.
14. Rayda L Renshaw: This sort of thing does not belong in our homes, whether through tv or the internet.
15. Richard John: ...the FCC would also ad[op]t stricter regulations on internet content.
    Bob Stone: Please work to clean up the internet and Cable TV as well.
16. Richard P. Felix the laws prohibiting hardcore porn on cable TV hotel and motel rooms and on the internet.
17. Robert H. Pettitt: Instead, the obscenity standards should be strengthened; and made also to apply to the internet.
18. Robert Ziccarelli: In my opinion the current broadcast decency standards should not be dro[p]ped but needs to be extended to include the internet as well as television and radio.
19. Stephen Crowell: please seriously restrict vulgar language and gestures and imagery including nudity from all broadcasts whether on television or radio as well as with cable and internet
20. Torrie Young: there is nothing regulating filth online
21. *George R. Jennings Jr.: IN ADDITION PLEASE CONSIDER CLEAN INTERNET STANDARDS*
22. James Lassiter:...You fail Americans by refusing to ban sex filth on the internet and now you seem ready to cancel the ban on profanity and nudity on PUBLIC television?...

DEFENDING ANONYMOUS PORN CONSUMPTION

United States' Article III judges are Honorable Lords like once ruled England due to appointments for life. United States' senior citizens may retire and draw social security at age 65. Lord Honorable John Paul Stevens made the egregious error of calling 47 USC §153 ¶(59) wire communications a "*unique and wholly new medium*" instead of **communications by both the wire and radio mediums these ALWAYS WERE**. This mistake was made by a ruling senior citizen at the advanced age of (77) in the twentieth year of rule after witnessing humanity first visit the moon at age (48) or four years older than Curtis J Neeley Jr now. Lord Stevens had forgotten the *Pacifica* ruling composed nineteen years earlier while a fresh "*unique and wholly new"* Associate Justice of the United States Supreme Court at the much younger age of fifty-eight. **NO NEW "MEDIUM" EXISTS AS BECOMES MORE OBVIOUS EVERY YEAR.**

United States Courts currently pretend the 1997 creation of the [sic] "*internet*" medium was **not an obvious mistake** done to preserve anonymous pornography consumption by judges and SCOUS clerks like Ruth Jones Esq wishing to protect wire broadcasts HERE, HERE, or HERE.

1997 LANGUAGE ERROR Invents [sic]"*internet*"

The "*unique and wholly new*" **usage** of 47 USC §153 ¶(59) wire communications was simply another replacement of machines connected to wires for communication besides facsimile. Telegraph machines were replaced by machines connected to wires long before computers were connected to wires and used for communications. The [sic] "*internet*" was only advancement of telegraph machines patented in 1847 by Samuel Morse and are only logical advancements in wire communications. [sic] "*Internet*" wires are still unable to make facsimiles disappear completely like telegraph machines quickly did due to **continuous FCC nonfeasance** and not regulating ALL distant wire communications broadcasting perhaps while trying to locate the "*unique and wholly new medium for human communications*" - there has NEVER BEEN. Confinement and fines will quickly end all spam and all need for facsimiles.

NO NEW MEDIUM HAS EVER EXISTED

No new medium has EVER EXISTED except in the minds of confused elderly leaders like Lord Stevens(77), Lord Honorable Jimm Larry Hendren(72), Lord Honorable Pasco Bowman II(80), and Madam most Honorable Diana E. Murphy(79). Thousands of GN 13-86 commenters appeared to make this mistake also with comments like, "*various forms of media, entertainment, advertising, internet, etc.*", by Bettie Glass. Ms Glass was accurately using the singular "*means of communications*" definition like many other comments and not the plural of "*medium*" like used mistakenly by Lord Stevens in *ACLU v Reno,* (96-511) in 1997 thereby creating the imaginary singular construct for unregulated wire and radio communications called [sic] "*internet*". Several uses of the term medium in comments filed were propagation of Lord Stevens erroneous use of the singular noun though some used the adjective "medium" to describe a middle position like high-medium-low. Curtis J Neeley Jr reviewed them ALL.

Radio broadcasts of 47 USC §153 ¶(59) wire communications make simultaneous usage of unsafe wire and radio communications permeate public airwaves such that broadcasting of unregulated 47 USC §153 ¶(59) wire communications is done by both wire and radio. These will be as pervasive as FM radio signals are today soon using the common carrier protocol for time based modulation of radio signals described generally in Docket #56 of *Neeley Jr. v FCC, et al,* and already occurs in much of China.

HUMAN RIGHTS NOT PROTECTED IN AMERICA

Artists or authors of indecent material, like Curtis J Neeley Jr did in the past, have a clear moral duty to prevent these indecent creations from being encountered by minors **ANYWHERE**. This moral duty should CURRENTLY be supported by 47 USC §605 for wire and radio communications until this law was ignored or repealed by elderly Lord Honorable Jimm Larry Hendren and protected elsewhere by the "Progress Clause" of the Constitution written in 1787. The Rights of authors and inventors were never protected in the United States due to Noah Webster coining an "Americanized" misspelling of copyright from England in 1767 and NEVER protected RIGHTS of authors or inventors except from 1990 with the Visual Artists Rights Act until 17 USC §106A was repealed by elderly Lord Honorable Jimm Larry Hendren in 2010 in demonstration of mental defect or senility. The disparaging creation of American copy[rite] law exists today perhaps because of the untimely illness and death of author and inventor Benjamin Franklin who felt the Constitution was too important a document to use for coining a new term. The alleged Copy[rite] Clause of the Constitution did not use the misspelling of [sic] "copyright" and neither did the first "State of the Union" given by George Washington on January 8, 1790. President Washington noted the need for the Copy[rite] Act of 1790 in the new country. The encouragement of this [sic] "copyright" FRAUD was signed into law on May 31, 1790 only forty-four days after Benjamin Franklin died with the following encouragement in the first "State of the Union".

> *"...that there is nothing which can better deserve your patronage, than the promotion of Science and Literature. Knowledge is in every country the surest basis of publick happiness..."*

copy+rite coined as copy+right in US law TO DECEIVE

Noah Webster, a linguist polymath, and Benjamin Huntington, a lawyer, quickly coined one misspelling in Congress with the [sic] "Copyright Act of 1790" perhaps in order to successfully fool the entire nation to think a human RIGHT was protected that was NEVER preserved or even recognized. The first usage on Earth of the term [sic] "copyright" in national law only protected the publication ritual or RITE. This legal RITE for publishing was copied from the *1710* Statute of Anne almost verbatim while utterly ignoring the human RIGHTS of creators to control copying of original visual art protected first by the *Engraver's Act* of 1734/5 in England.

Still; Today US Courts blindly accept Noah Webster's copy[rite] compound word misspelled intentionally as [sic] "copyright" and abuse the compound word first used by Lord Blackstone circa 1767 in *Blackstone's Commentaries on English Law* | Book two | *Rights of Things* | *Chap. 26: Of Title to Things Personal by Occupancy*. Footnotes 37 and 38 referring to prior uses in English rulings as "copy-right".

FCC MISINTERPRETATIONS OF *PACIFICA*

> *This case* [*Pacifica*] *requires that we decide whether the Federal Communications Commission has any power to regulate a radio broadcast that is indecent but not obscene.*

The preceding consideration of broadcasting by the Supreme Court from *Pacifica* involved broadcasting in ONLY the radio medium. The *Pacifica* ruling used the term broadcast as verb and noun 162-times or pervasively. In misinterpretations that have followed; FCC authority to regulate "*radio broadcasts*" has become the authority to regulate "*broadcasts*" giving the word "*broadcasts*" the misunderstood and inappropriately accepted meaning of "*radio or television broadcasts*".

FCC MISINTERPRETATIONS OF *PACIFICA*

This abuse of language was like the "Copy[rite] Act of 1790" wherein [sic] "copyright" was used instead of "*copyrite*" or the new compound word whose literal meaning was used in 1790 and remains used even today. "*Radio broadcast*" was used six times or 156-times less by the "*wholly new*" 58-year-old Associate Justice Lord Honorable John Paul Stevens nineteen years before inventing [sic] "internet" as the imaginary new medium construct in *ACLU v Reno,* (96-511).

The 1978 ruling of *Pacifica* authorized the FCC to do absolutely nothing. The Communications Act of 1934 **required FCC regulation and STILL requires** FCC regulation of interstate and world-wide communications **broadcasting by radio** AND by **WIRE**. *Pacifica* merely explained FCC regulation of radio broadcasting due to pervasiveness of signal and did not address the fact radios were required in 1978 like access to [sic] "*internet*" wires, cable television wires, and computers or mobile phones are required today. Early and continuous misinterpretations of *Pacifica* allowed cable TV **wire broadcasting** to escape FCC regulation and this is now obvious but ignored to perpetuate illegally broadcasting indecency to the unknown by wire communications disguised as [sic] "internet".

It makes no difference what medium is used to broadcast communications or if subscriptions or devices are first required. **Broadcasting is intentionally making communications available to multiple unknown parties.** This was the rational the *Pacifica* ruling tried **unsuccessfully** to make clear.

PENDING LAWSUIT(S) AGAINST THE FCC

Curtis J Neeley Jr. has personally pursues the FCC in Federal Court for nonfeasance and failing to protect naked image broadcasting by wire disguised as [sic] "*internet*". Curtis J Neeley Jr. did not seek damages but change in policy and was dismissed in clear error perhaps due to anger felt towards Mr Neeley Jr by senior citizen Lord Honorable Jimm Larry Hendren fifty-three days after admitting senior status only two years after prior rulings against Mr Neeley were called indications of senility by Curtis J Neeley Jr in open court on December 9, 2010. This lawsuit will seek fiscal damages on remand from FCC Commissioners like the 3rd Amended Complaint sought ordered allowed to be filed in District Court with a new judge. The preceding link is to one wire broadcast location also. THIS IS NOT DONE SECRETLY.

FCC commissioners will face claims for damages due to failing to make 47 USC §153 ¶(59) wire communications safe and failing to enforce 47 USC §605 and thereby allowing pervasive unauthorized re-publication and use of wire communications that had and still have adult filtration installed to forbid display to anonymous minors at <deviantart.com>. Viewership of naked images "*online*" must require logging-in where identities can be tracked and verified and browser histories should be deletable only after thirty days. Defendants Google Inc and Microsoft Corporation each refuse to require this. See attached/linked complaint.

Nevertheless; Logging-in should be required NOW by the FCC as well as adoption of rule sets protecting both **free speech AND children** like served in this complaint on the FCC, the US Attorney General, Google Inc, Microsoft Corporation, and 3rd District AR Representative Steve Womack. See 47 USC §232.served already as *Neeley Jr v FCC et al*, (5:12-cv-5208) Docket #59 (Attachments: # 1 Exhibit) as the last four pages.

USA – ADDICTED TO THE "*Forbidden Fruit*"

It has never been likely any United States' Court will rule morally and prohibit Defendant Google Inc and Defendant Microsoft Corporation from bypassing identity filtration and showing nakedness to elderly judges, perpetually single SCOTUS clerks, and other anonymous viewers. It is not likely that a United States' Court will require the FCC to face a jury and be ordered to pay for nonfeasance that allows anonymous pornography because many if not most **judges are addicted** to anonymous access to legal porn and treat this inappropriately as a right, like Terry Smith does.

The political drive to end porn-by-wire or unregulated [sic] "*internet*" communications may be the only manner for ending the "online" immorality of the United States like done by the Nineteenth Amendment allowing ALL adult females to vote. The Nineteenth Amendment passed after Susan B. Anthony unsuccessfully tried to alert SCOTUS of United States' immorality and was fined $100 for voting by SCOTUS. Susan B. Anthony died in 1906 STILL unable to vote but remains the only voter in history charged $100 for voting straight Republican.

The vast majority of the hundreds of GN 13-86 comments examined by Curtis J Neeley Jr with the terms [sic] "*internet*" or "online" referred to this imaginary construct as another venue that was a more controllable media where those seeking porn could turn as a valid alternative to RF broadcasting. Very many advised of contemplating using only the streaming of [sic] "*internet*" wire broadcasts and abandoning RF broadcasts of television entirely. These commenters appear to trust their purchased [sic] "*internet*" filtration as well as those in charge of public televisions.

This self-censoring option propagates discrimination based on fiscal ability or lack of common sense counter to the mission of the FCC in 47 USC §151. There were numerous requests that the FCC simply be abolished due to decades of utter failure begun with unregulated TV wires called cable TV. **Regulation of wire communications disguised as [sic] "*internet*" or cable television wires and safe FCC search engines must now develop.**

Curtis J Neeley Jr. will perpetually **DEMAND** an end to FCC nonfeasance like Susan B Anthony unsuccessfully pursued the right to vote. Mr Neeley is, however, a much younger, more determined polymath than Ms Anthony, as should be obvious by now or should be obvious soon. See attached or linked complaint.

13-86 COMMENT SEARCH LINKS

1. "I support" -internet **677 (687)**
2. "I support" +internet **8 (8)**
3. "I oppose" **53,188 (53,708)**
4. "media" **3,308 (3,504)**
5. **"**responsibility**" 1,887 (2,008)**
6. "internet" **693 (749)**
7. "AFA" **331 (332)**
8. **"**online**" 113 (130)**
9. **"**censor**" 368 (386)**
10. **"**agree**" 589 (616)**
11. agree -"do not" **339 (357)**
12. **"**outdated**" 32 (35)**
13. *I oppose* any changes to the current FCC **49,802 (50,255)**
14. "other countries" **97 (102)**
15. "against" **3,287 (3503)**
16. "free speech" **287 (311)**
17. "censor +policy" **61 (74)**
18. "internet" "online" **7 (17)**
19. "the" **99,082 (101904)**
20. **"**fuck**" 147 (161)**
21. "wire communication" **3 (4)**
22. "AFA -bend" **48 (48)**
23. afa +bend **283 (284)**
24. "copy paste" **11 (16)**
25. **"**medium**" 210 (210)**
26. **"**Floyd Kramer**" 159 (245)**

ABOVE are "LIVE" SEARCHES.
1st Result is from June 17, 2013 @~10:42 CST
(2nd) Result is from July 3, 2013 @~19:23 CST

(288 PORN-SUPPORTER COMMENTS WITHOUT "INTERNET" OR "ONLINE" PLUS (330) ANTI-AFA COMMENTS PLUS (41) "PORN" SUPPORTERS WITH COMMENTS USING "INTERNET" OR "ONLINE" IS (659) PORN-SUPPORTERS of 101,904 or 65/100 of 1%

The results LINKED above except for ## (3, 4, 5, 13, 15, 19) were examined. Every supporter of "porn" was noted and archived. Supporters of "porn" are perpetually listed with links to their porn-support filings. Supporters of nakedness in any way are, by definition, supporters of PORN to Curtis J Neeley Jr. One is either against ALL naked broadcasts or is a supporter of PORN. The pornography supporters listed above are linked along with the (41) listed and linked herein. Many were less relevant to the perpetual DEMAND the FCC regulate ALL wire communication broadcasting including those most commonly called using Lord Stevens imaginary medium construct of [sic] "*internet*" for disguise. The FCC won't find ANY supporter for relaxed decency standards that are not noted listed as follows except those not online without addresses.

ALL-GN_13-86_"Porn-Supporter" comments.

ONE ACCEPTABLE CONCLUSION

Regulation of wire communications disguised as [sic] "*internet*" and safe FCC "search"

must now develop. Not in ten years and **not after another five years, but NOW!** Curtis J Neeley Jr will pursue the current FCC nonfeasance like Susan B Anthony pursued suffrage. Curtis J Neeley Jr is (44) typing this and Ms Anthony was (86) when making her last public comment. Curtis J Neeley Jr herein repeats Ms Anthony's prediction. Most judges on benches today will be dead and rotting in forty years. Curtis J Neeley Jr. will have reached just (84) if not also expired. **FAILURE IS IMPOSSIBLE**

Supporters of irresponsible broadcasting

There were over a dozen media outlets or lawyers who filed support briefs that Curtis J Neeley Jr will address either with separate replies or another reply to a group.

ACLU, Public Television Stations, Public Broadcasters Service, Electronic Freedom Foundation, National Association of Broadcasters, CBS, ABC. NBC, Student Press Law Center, FOX, Writers Guild of America these commenters often hired law firms and submitted 20-60 pages of comments. These comments should be given the appropriate consideration since these will be the very parties filing litigation against the FCC seeking reconsideration of governmental authority to control broadcasting of communications to the public and this is the same cause being sought addressed in *Neeley Jr v FCC et al* and the Supreme Court has repeatedly advised of being ready to reconsider the governmental authority to control broadcasting of communications to the public and not the fair notice or vagueness issues used to resolve the progeny of *Pacifica*.

FCC's GN 13-86 proceeding was studied by Curtis J Neeley Jr far beyond any review the FCC is likely to have considered. Thousands upon thousands of people were discovered who will join this pursuit of the FCC and demand **ALL DISTANT BROADCASTING BE REGULATED** according to **EXISTING US LAW**. The version of the [sic] "internet" that has developed over the last few decades is utterly EVIL, but can be fixed VERY easily. The [sic] "internet" will be made safe according to existing US Laws before Curtis J Neeley Jr dies. See attached complaint.

No new law is needed.

FAILURE IS IMPOSSIBLE.*

The porn-by-wire of [sic] "*internet*" wire communications **must be regulated by the FCC** before becoming pervasive like FM radio communications are today. This technical certainty will occur soon like has been explained adequately in *Neeley Jr v FCC, et al,* (5:12-cv-5208) Docket #56. This explanation reveals highly abstract military communications training. USMC 2831 PMOS personnel should generally understand as may many electrical engineers. Wire and radio communications are already as pervasive in some of China as FM radio is in much of the United States today and must be made safe before becoming as pervasive here. Pervasive Wi-Fi communications are now part of the statutory FCC mission given in 47 USC §151.

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Failure is impossible,

/s/ Curtis J Neeley Jr

Curtis J Neeley Jr.