IN THE UNITED STATES COURT FOR THE WESTERN DISTRICT OF ARKANSAS[1]

Curtis J Neeley Jr.

Plaintiff

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED
MAY 06 2014
CHRIS R. JOHNSON, Clerk
By
Deputy Clerk

CASE NO. 14-cv-5135

5 Federal Communications Commissioners,
FCC Chairman Tom Wheeler et al,
US Representative Steve Womack,
US Representative/Senate Candidate Tom Cotton,
US Senator Mark Pryor,
US Attorney General Eric Holder Esq,
Honorable Jimm Larry Hendren, Diana E Murphy,
Pasco M. Bowman II, Roger Leland Wollman,
Kermit Edward Bye, Stephen Breyer, Steven M. Colloton,
Antonin Scalia, Ruth B. Ginsburg, Denny Chin,
Anthony Kennedy, Samuel Alito, Raymond W. Gruender,
Microsoft Corporation,
Google Inc.

Defendants

Violation of Rights of a Parent and Visual Artist

BACKGROUND

1. One fundamental natural right of all humans has been violated by United States Congress and US Courts continually since authorized for protection in the 1787 Constitution of the United States. The Plaintiff, Curtis J Neeley Jr, encountered the United States first as a severely brain injured citizen in 2003 with only the rights of a child until 2006 after becoming legally competent as an adult. The natural human rights secured by the Constitution or that are authorized to be protected by Congress include the natural right to raise children. "*The Due Process Clause does not permit a State to infringe on the fundamental right of parents to make childrearing decisions simply because a state judge believes a 'better' decision could be made.*" *Troxel v. Granville*, 530 U.S. 57 (2000)

1 also submitted before EVERYONE "online" on Earth at TheEndofPornbyWire.org

2. The natural human right for citizens to exclusively control creations is authorized for protection in the Constitution by Article I, Section 8, Clause 8 or the "Progress Clause" as follows.

> *"To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."*

The above authorization has been ignored by Congress and US Courts since 1790 when Noah Webster abused the British word "copyright". Copyright was first used in legal writings by Sir William Blackstone[2] around 1767 in Volume 2 of "*Commentaries on the Laws of England*" titled "*Rights of Things*" in Chapter 26, "*Of Title to Things Personal by Occupancy*", with footnotes 36 and 37 on "copyright" referring to prior usage of "copy-right" in English rulings. Noah Webster intentionally misspelled copy+rite as copy+right to disparage the human right to control usage of indecent visual creations recognized in "England" ten years before the colonies declared independence in 1776.

3. Noah Webster wrote the Copy[rite] Act of 1790[3] protecting only the rite for authorizing copies of books, like the *1710 Statute of Anne.* This English statute was copied almost verbatim recognizing no human rights and only legal rites to aid the career lawyer destined to be judge Hon. Benjamin Huntington while representing Connecticut and introducing the Copy[rite] Act of 1790.

4. The Copy[rite] Act of 1790 ignored the human right to exclusively control usage of potentially immoral creations recognized first in the "*Engravers Act*" or "*Hogarth's Act*" of 1735 in England. This was modified to include continued control of usage for immoral visual art by the spouse for life in 1766 after William Hogarth died.

2 lonang.com/exlibris/blackstone/bla-226.htm
3 copyright.gov/history/1790act.pdf

5. Noted lexicographer, Noah Webster, used the Copy[rite] Act of 1790 to Americanize the spelling of the compounding of the words copy and rite to instead be misspelled as [sic]"copyright"[4]. Noah Webster attempted to Americanize the spelling of "tongue" to be "tung"[5] also in the first dictionary on earth with "copyright" and "tung" in 1828. This first use of "tung" is ignored by "merriam-webster.com/dictionary/tung".

6. The intentional misspelling of copy+rite to instead be copy+right is a fact nobody recognizes, but is obvious once pointed out. This explains why the United States has never protected human rights of authors to exclusively control immoral creations despite President Franklin D. Roosevelt being one of the primary authors of the "*Universal Declaration of Human Rights*" in 1948 including Article 27(2) or the first US recognition of human rights to morally control creations like follows.

> "*(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.*"[6]

7. The *Golan v Holder*, (10-545)[7] decision by Defendant Honorable Ruth Bader Ginsburg recognized the two decisions by Congress for "*unstinting*"[8] compliance with the Berne Convention including Article 6bis[9] as follows.

> (1) Independently of the author's economic rights, and even after the transfer of the said rights, the author shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honor or reputation.

4 1828.mshaffer.com/d/word/copyright
5 1828.mshaffer.com/d/word/tung
6 un.org/en/documents/udhr/index.shtml#a27 emphasis added.
7 www.supremecourt.gov/Opinions/11pdf/10-545.pdf
8 merriam-webster.com/dictionary/unstinting
9 law.cornell.edu/treaties/berne/6bis.html emphasis added.

8. Early in 2012, Defendants Honorable Kermit E. Bye, Steven M. Colloton and Raymond W. Gruender affirmed the District Court mistake violating this human right in the face of *Golan v Holder*, (10-545) despite this fact being specifically pointed out. This injustice was nothing besides reaffirming the bias and disfavor the District Court judge maliciously held violating "Due Process" rights once secured by the 14th Amendment.

9. Each Congressional or Judicial Defendant either: 1) failed to recognize or secure the fundamental human right to exclusively proscribe use of properly attributed immoral visual artwork due to the 1790 misspelling of the English term copyright in the United States protecting only the rite to authorize original copies; or 2) failed to correct this obvious moral right disparagement violating the First, Ninth, and 14th Amendments.

CONTINUING COMMUNICATIONS CRIMES

1. Defendant Google Inc violates 18 U.S.C. §2511 for this Plaintiff continually. One relevant portion of the attached US law forbids these communications crimes as follows and United States Courts must now address these crimes instead of acting-out to protect mistakes done due judicial senescence and malice. See exhibit "Crime".

> "***(1)*** *Except as otherwise specifically provided in this chapter any person who—*
> ***(a)*** *intentionally intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;*
> ***(b)*** *intentionally uses, endeavors to use, or procures any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication when—*
> ***(b.i)****such device is affixed to, or otherwise transmits a signal through, a wire, cable, or other like connection used in wire communication; or ...*"

2. Profane communications of art once offered by this Plaintiff displayed from one location by wire communications were ruled not to be entitled to protections of

17 U.S.C. §106A because these communications were "online". This ruling contradicted the *Golan v Holder,*(10-545) ruling, the "*Universal Declaration of Human Rights*" Article 27(2), and the "Berne Convention" Article 6*bis* This mistake was reaffirmed by cohorts also not peers of this Plaintiff violating the Seventh, Ninth, and 14th Amendments.

3. This Plaintiff therefore removed these profane offerings due to the negative impact on First Amendment rights caused by denial of the fundamental human rights to exclusively control immoral creations and human right to protect reputation. These rights are NOT the subject here NOR of (5:13-cv-5293) alleged in the Dkt. #25 FRAUD.

4. All profane communications were removed from this location due to the chilling effect on free speech. Communications continue from this location by wire communications still intending to require authenticated adult memberships of this business location to view. Google Inc violates 18 U.S.C. §2511 for this Plaintiff's communications **TODAY** by "intercepting" these and using these and otherwise encouraging consumption by non-members of this location. See exhibit "crime".

5. These are statutory crimes the District Court failed to prosecute in *Neeley v Federal Communications Commissioners, et al,* (5:13-cv-5293) due to bias and/or senescence making this District Court judge no longer a peer of this Plaintiff and because this District Court was maliciously NOT following clear US law.

6. The human right to be tried by a jury of peers is guaranteed by the Seventh, Ninth, and 14th Amendments to the Constitution. This fundamental human right modified the 1787 "good behavior" clause of Article III of the Constitution when subsequently passed requiring judicial retirement by age 70 at the latest to describe "during good behavior"

for judges. The fundamental human right to a jury of peers was required for acceptance of the "Bill of Rights". Minimum ages are easier to recognize as fair but maximum ages should be required per the Seventh, Ninth, and 14th Amendments to the Constitution.

SHORT HISTORICAL BACKGROUND

1. Copy[rite] laws have disparaged fundamental human rights since first established by a career attorney/judge, Benjamin Huntington, disparaging this human right with a legal rite initially on June 23, 1789 with HR 10 in the Second Session of Congress. George Washington affirmed this disparagement on May 31, 1790 when signing HR 43 or the "Copy[rite] Act" and coining the misspelling Noah Webster used to help establish a unique language for a young nation by establishing a school textbook printing authorization rite giving Webster's new dictionary preference in the United States.

2. This US copy[rite] law disparaged one fundamental human right by marginally protecting this human right with a legal rite. The human right and responsibility to exclusively control potentially immoral original creations is still protected by the First, Ninth and 14th Amendments. Constitutional laws do not "create" human rights that are fundamental nor allege exceptions to human rights as unconstitutional 17 USC §107, fair use, always alleges to do by ignoring the moral human right to repent.

3. Fundamental human desires exceed fundamental human rights. This has been true since humanity first began or developed by whatever belief the reader accepts for the arrival of air, humans, and water. Desires to know the difference between good and evil

or to be able to recognize fundamental human desires exceeding fundamental human rights is allegedly why humanity exists per the Bible. e.g. forbidden fruit of Eden[10].

CEASED BUT UNPUNISHED HUMAN RIGHTS VIOLATIONS AND CRIMES

1. Honorable "Denny" Chin violated this Plaintiff's fundamental human right and fundamental human responsibility to exclusively control immoral creations when ruling the unconstitutional 17 USC §107, fair use, rite permits unauthorized library book scanning and expanded electronic publication. The authors who consider their original creations immoral or otherwise unfit for public consumption had the legal rite or US copy[rite] ruled to exclude this fundamental human right despite this Plaintiff's communications with Honorable "Denny" Chin in (1:05-cv-08136-DC). *See* (5:09-cv-5151) Dkt 73-1 exhibit CHIN as also timely filed in (1:05-cv-08136-DC).

2. Google Inc admitted violation of the human rights of this Plaintiff as seen in *Neeley v. NameMedia, Inc., et al*, (5:09-cv-05151-JLH) Dkt. #135-2 attachment #2 exhibit Google-Oops2 and ceased this ONE violation after requested during litigation as seen in *Neeley v. NameMedia, Inc., et al*, (5:09-cv-05151-JLH) Dkt. #135-1 attachment #1 exhibit Google-Oops or as can be seen searching now[11].

3. The Honorable "Denny" Chin's mistaken ruling could now be alleged by Google Inc to permit continued violations of Plaintiff's rights by not considering these like follow as was deciding a serious civil issue despite the Seventh Amendment jury guarantee once existing in the United States.

10 5 "For God knows that when you eat from it your eyes will be opened, and you will be like God, knowing good and evil." - Genesis 3:5 NIV

11 books.google.com/books?isbn=160020001X

> *"In my view, Google Books provides significant public benefits. It advances the progress of the arts and sciences, while maintaining respectful consideration for the [rites] of authors and other creative individuals, and without adversely impacting the [rites] of copy[rite] holders."*

4. The Honorable "Denny" Chin authorized violations of Plaintiff's human rights to protect reputation by making visual art from one of perhaps several thousand physical books available to anonymous minors without authentication and without encountering this book physically in a book store or library. This made the morally proscribed "art" available to Plaintiff's minor child in school libraries via "FCC E-rate".[12] This upset Plaintiff's right to parent and may now potentially be resumed claiming "fair use".

5. Google Inc admitted this human right violation was wrong and ceased this violation and offered 5 million in a phone call, now denied, after the District Court bias was certified by calling (5:12-cv-5208) Dkt#53-3 and (5:13-cv-5293) Dkt. #1 "*identical in almost every respect*". This claim is a judicial FRAUD and an injustice now plead.

6. This endorsement of breaches of human rights is also endorsement of the prior criminal breaches of 18 U.S.C. §2511 allowed by a biased District Court and then affirmed by the Eighth Circuit and ignored by the Supreme Court. This ceased but unpunished wrong adds to the malfeasance of the FCC Commissioners and the harms done by each judicial and congressional Defendant.

CONTINUING FIRST AMENDMENT VIOLATIONS

1. The Plaintiff is a parent of a minor child who would like to use advanced communications technologies like smart-phones, internet, and etc. This minor son is

12 fcc.gov/e-rate-update

prevented from smart-phone ownership or unsupervised use because of FCC failure to regulate communications in the wire medium. This gives this District Court jurisdiction to resolve substantive issues in this case because elements of standing are all met. From *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 112 S.Ct. 2130, 119 L.Ed.2d 351 (1992).

- "the plaintiff [..] suffered an injury in fact, i.e., an invasion of a legally protected interest which is concrete and particularized and actual or imminent rather than conjectural or hypothetical;
- there [are] causal connections between the injury and the conduct complained of; and
- it [is certain], as opposed to merely speculative, that the injury will be redressed by a decision in plaintiff's favor."

2. Each Federal Communications Commission Commissioner shares the duty to regulate interstate and foreign commerce in communications by radio and wire so as to make rapid, efficient, nationwide, and worldwide radio and wire communications services available and promoting the safety of life and property by exercising authority to regulate interstate and foreign commerce in radio and wire communications.[13]

3. The loss of First Amendment rights, even minimally, is injurious. *Marcus v. Iowa Public Television*, 97 F.3d 1137 (8th Cir.1996). The only way for the Plaintiff to raise a teenage son morally is by proscribing all usage of the plethora of technologies that could be used to consume immoral artwork "online" bypassing all warning labels and indulging in immoral art anonymously in school libraries or elsewhere without verifiable user authentication. This violates *Doe v. Reed* (09-559) identity authorization for the FCC duty to ensure safe communications consumption and this Plaintiff's parental rights to proscribe immoral artwork consumption whether proscribed by the FCC or not.

4. Anonymous "*indulgences*"[14], like Rev Martin Luther protested in 1517, now allow children to consume immoral and even obscene art since the *Reno v ACLU*, (96-511) mistake done late in the last century per the ages of those deciding.

5. Many of the injuries to this Plaintiff result from the FCC allowing Google Inc and Microsoft Corporation to conspire and assist other immoral speakers and force this Plaintiff to proscribe "*internet*" wire communications access for a minor son regardless of where encountered. The minor child and Plaintiff are then ostracized due to enforcing a moral requirement and refusing to rely on filters.

6. The right to use a computer or smart-phone to communicate is an aspect of the human right to receive information and ideas, an "*inherent corollary of the rights of free speech and press that are explicitly guaranteed by the Constitution.*" *Board of Education v. Pico,* 457 U.S. 853, 102 S.Ct. 2799, 73 L.Ed.2d 435 (1982).

CONTINUOUS *RENO v ACLU,* (96-511) HARM

1. Google Inc and Microsoft Corporation are conspirators delivering morally prohibited content from the plethora of immoral speakers "online" to anonymous consumers in constant violation of 18 U.S.C. §§(1462, 1464, 2511). This creates a public nuisance for minors and pornography addicts to consume in secret. The Federal Communications Commission should prohibit ANY and ALL public nuisances using either the radio or wire medium for broadcasting communications to the unknown per

14 :indulgence remission of part or all of the temporal and especially purgatorial punishment that according to Roman Catholicism is due for sins whose eternal punishment has been remitted and whose guilt has been pardoned (as through the sacrament of reconciliation) - | - merriam-webster.com/dictionary/indulgence

47 U.S.C. §151. The fundamental rights of parents are exempt from ALL statutory preclusion and the criminal communications statute of 18 U.S.C. §2511 is excluded by 47 U.S.C. §230(e) from the "[holy] new" 47 U.S.C. §230 allowing Google Inc to exist.

2. The *Reno v ACLU*, (96-511) mistake is diametrically opposed to the *Pacifica* ruling this same judge authored in 1978 as an Associate Justice. This Chief Justice remained twenty years beyond the 70 years of "good behavior" allowed in "rule of law" respecting nations, 33 US States, Great Britain, Australia, Hungary, Germany, Ireland, New Zealand, South Africa, the European Court of Human Rights, and in 12 of 27 European Union countries making the US less free by preserving the rule of an aging oligarchy like American Colonies rebelled against in 1776.

3. Failure to admit senescence caused corporate and aggregate personal political donations to be considered unlimited "free speech" subject to First Amendment protection by the *Citizens United*, (08-205) and *McCutcheon* (12-536) mistakes. These mistakes make donations by this Plaintiff have no impact and harms this Plaintiff. The retired oligarch responsible for the *Roe v Wade*, (96-511) mistake stated:

> "*While money is used to finance speech, money is not speech. Speech is only one of the activities that are financed by campaign contributions and expenditures. Those financial activities should not receive precisely the same constitutional protections as speech itself,*" Stevens said. "*After all, campaign funds were used to finance the Watergate burglary, actions that clearly were not protected by the First Amendment*".[21]

Political donations are not votes, nor speech, but ARE used by the wealthy to "s - elect" corporate rulers and "s - elect" judges or help keep the aging U.S. oligarchy in place.

21 cbsnews.com/news/former-justice-stevens-campaign-cash-isnt-speech/

4. Besides these judicial mistakes; The *Reno v ACLU*, (96-511) mistake could not be anything but another Supreme Court failing to recognize the "*[holy] new medium for world-wide human communications*" as nothing beyond development of broadcasting in the wire medium on distributed interconnected wires because of development of a location selection scheme allowing devices like computers, iPhones or other apparatus to request communications placed on other interconnected physical devices simply by knowing the URL or IP-address registered. This makes placement of communications in publicly accessible locations a "broadcasting" like billboards or other print advertisements broadcasting communications to the random public.

5. The entire [sic]"internet" was described exactly by 47 U.S.C. §153 ¶(59) wire communications in 1934, as were ALL modern smart-phones. Wire communications terminated on either end by geographically distributed 47 U.S.C. §153 ¶(40) radio communication loops are all "*wireless*" telephones have ever been.

6. This unquestionable fact makes everything communicated to the anonymous public via [sic]"internet" wires also a 47 U.S.C. §153 ¶(40) radio broadcast.

7. When potentially "indecent, obscene, or profane" communications are broadcast by wire, these broadcasts may also be received via Wi-Fi radio making ALL "indecent, obscene, or profane" [sic] "Internet" communications illegal for return to ANY anonymous public making Google Inc and Microsoft Corporation hundreds of BILLIONS of dollars in organized criminal proceeds.

DISTRICT COURT ERRORS OF LAW

1. The United States Court for the Western District of Arkansas granted an impermissible, unconstitutionally vague injunction and proceeded to misapply the vague injunction from (5:12-cv-5208) Dkt. #58 in the (5:13-cv-5293) Dkt. #25 fraud.

> *"Mr. Neeley is hereby enjoined from filing any further motions, pleadings, or pro se complaints related to events previously litigated without first obtaining the permission of the Court."*

2. The preceding injunction is unconstitutionally vague and proscribes litigation said to be related to the prior tortuous events in ANY way meaning ANTHING shown on wire communications by "search engines", disguised as "*internet*", could be alleged to be enjoined as was ruled by this District Court in error affirming the personal bias and clear malicious refusal to prosecute the proven wire communication crimes plead.

3. Permissible injunctions must be more precise and may not simply be used to expand *res judicata* or *collateral estoppel* beyond fairness. "[B]asic fairness requires that those enjoined receive explicit notice of precisely what conduct is outlawed." *San Diego Unified Port Dist. v. U.S. Citizens Patrl* (1998) 63 Cal.App.4th 964, 969; emphasis added. See also *Schmidt v. Lessard* (1974) 414 U.S. 473, 476; and *Long Beach Lesbian & Gay Pride, Inc. v. City of Long Beach* (1993) 14 Cal.App.4th 312, 329; and *Ketchens v. Reiner* (1987) 194 Cal.App.3d 470, 476-477; and *City of Indio v. Arroyo* (1983) 143 Cal.App.3d 151, 157; and *Foti v. City of Menlo Park* (9th Cir. 1998) 146 F.3d 629, 638), as vagueness is a well-settled and often addressed legal issue.

4. The tort of violating moral copy[rite] per 17 U.S.C. §106A for naked artwork placed "*online*" by this Plaintiff was the precise "*events previously litigated*" and this was when 17 U.S.C. §106A was ruled to not apply "*online*" in *Neeley v NameMedia Inc et al*, (5:09-cv-05151) as violated "*Berne Convention*" Article 6*bis*, the "*Universal Declaration of Human Rights*" Article 27(2), and the *Golan v Holder*, (10-545) ruling from 2010. This tort was decided incorrectly but was NOT "*identical in almost every respect*" to this complaint or (5:13-cv-5293) Dkt #1 as was fraudulently alleged repeatedly in (5:13-cv-5293) Dkts. ##(12, 16, 22, 25).

FRAUDULENT USE OF COMPUTERS

1. The State of Arkansas made it felonious to violate 18 U.SC. §2511(1)(c) in 1985. One relevant portion of 18 U.S.C §2511 follows as was misunderstood or not enforced due to unquestionable bias and/or senescence.

> "5-41-103. Computer fraud.
> **(a)** A person commits computer fraud if the person intentionally accesses or causes to be accessed any computer, computer system, computer network, or any part of a computer, computer system, or computer network for the purpose of:
> (a.1) Devising or executing any scheme or artifice to defraud or extort; or
> (a.2) Obtaining money, property, or a service with a false or fraudulent intent, representation, or promise.
> (b) Computer fraud is a Class D felony."

> "18 U.S.C §2511(1)(c)
> (c) intentionally discloses, or endeavors to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection; ..."

2. Besides the criminal and civil penalty for a Class D felony in Arkansas, 18 U.SC. §2520(b)(2,3) authorizes punitive damages as follows.

> *"(2) damages under subsection (c) and punitive damages in appropriate cases; and (3) a reasonable attorney's fee and other litigation costs reasonably incurred."*

3. The damages allowed in the AR statute do not specifically include punitive damages. Failure to exclude these implies allowance when warranted like in this claim.

4. Microsoft Corporation and Google Inc each still fraudulently allege the text "Curtis Neeley", and "nude" are on pages these texts are not on after legally notified of this fraudulent allegation. Maintaining these frauds harm this Plaintiff by causing naked/profane pictures from these pages to return in searches using the Plaintiff's name harming this Plaintiff's reputation.

5. Defendant Google Inc corrected some computer frauds after requested and left others maliciously. Defendant Microsoft Corporation ceased one communications crime per 18 USC §2511 in (5:13-cv-5293) Dkt #19-2 labeled Exhibit "M" on page 1.

6. Defendant Google Inc currently fails to correct the communications crimes revealed in (5:13-cv-5293) Dkt #19-1 labeled Exhibit "G" and every other fraud pointed out for years with one of these frauds also being a criminal violation of 18 U.S.C. §2511 as can be seen in the attached exhibit "FRAUDS". Plaintiff demands the punitive damages allowed.

7. The District Court **egregiously** failed to address the criminal violations disclosed in (5:13-cv-5293) Dkt ##(19-1, 19-2) labeled Exhibits (M . G) done to other artists and ruled this Plaintiff has no standing to pursue these crimes despite causing harm to Plaintiff's ability to parent and this Plaintiff's minor children.

8. When finding a lack of standing, this District Court forgets the standing of a parent protecting the First Amendment rights of a child to consume legal communications in school libraries without stigmatization like in *Counts et ux. v. Cedarville School Board* litigation regarding "Harry Potter" themed books in 2003 because of the decade since 2003 increasing senescence and personal bias that is now unquestionably held maliciously against Curtis J Neeley Jr.

FCC FAILURE TO REGULATE WIRE COMMUNICATIONS

1. The Federal Communications Commission had the statutory mission of regulating the safe use of **content** broadcast in interstate commerce by wire before 47 U.S. C. §153 ¶(59) wire communications were cloaked or nicknamed [sic] "internet" in the obvious *Reno v ACLU*, (96-511) mistake, which destroyed US moral culture.

2. The creation of another imaginary non-medium besides [sic] "*airwaves*" should never have prevented regulation of wire communications and regulation of content broadcast or left accessible for public consumption in order to ensure safety for children or this Plaintiff. The duty to regulate wire communications used in commerce always required legal challenge to the *Reno v ACLU*, (96-511) mistake by

the FCC but is now sought by forty-nine state Attorney Generals due malfeasance of FCC Commissioners[15].

3. Wire communications among authenticated individuals and various apparatus connected to wires may safely deliver any legal free speech selected by the individual whether "obscene, indecent or profane". Wire communications are subject to criminal penalty if "broadcast" or made accessible to the anonymous from apparatus connected to wires per 18 U.S.C. §§(1462,1464) since anything broadcast by wire is also broadcast by radio. No new law is needed but only following existing US laws like plead herein.

4. The interconnected wires now used for [sic] "internet" wire communications are exactly the same type wire communications used when US President James Buchanan and Queen Victoria exchanged telegraph wire messages on August 16, 1858. Had there been interconnected networks of wires in 1858; Every interconnected telegraph apparatus would have received the same wire communication via the interconnected common carrier medium of wire. [sic]"Internet" communications should have always been subject to Title II regulation by the FCC even when called a "*[holy] new medium*".

15 ago.mo.gov/newsreleases/2013/Attorney_General_Koster_asks_Congress_to_fight_prostitution_and_child_sex_trafficking_by_amending_federal_law/

5. The FCC begun GN Docket No. 13-86 and received no less than thirty-six formal complaints including the complaint (5:13-cv-5293) Dkt. #1[16] that was called "*identical in almost every respect*" to (5:13-cv-5208) Dkt. #53-3[17] in a clear demonstration of bias and senescence with (5:13-cv-5293) Dkt. #25[18] being a clear judicial FRAUD.

6. The FCC GN Docket No. 14-28 proceeding now publicly contains the entire docket of (5:13-cv-5293) Dkts. ##(1-25) including the fraudulently dismissed Dkt. #1[19] complaint filed first in 13-86. The FCC alleged in GN Docket No. 14-28 to be aware of obvious malfeasance and considered correcting the egregious error of failing to treat wire communications, disguised as [sic] internet wire communications, to be common carriers of interconnected wire telecommunications this wire medium always was.

7. Internet wire communications are on common wire carriers and "Netflix", Google Inc, and all others should be forbid from purchasing preferred transmission and ISPs like "Comcast", et al should be required to deliver the data volumes purchased at the speed advertised regardless of volumes of other user requests. See exhibit "CC".

8. FCC Commissioners should pay damages for helping Google Inc become the monopoly harming this Plaintiff by ignoring 18 U.S.C. §2511 and delivering "obscene, indecent, or profane" communications to the anonymous though intended to be proscribed for anonymous consumption by authors like this Plaintiff.

16 apps.fcc.gov/ecfs/document/view?id=7521064286
17 apps.fcc.gov/ecfs/document/view?id=7521090236
18 apps.fcc.gov/ecfs/document/view?id=7521089967
19 apps.fcc.gov/ecfs/document/view?id=7521088890

CONCLUSION

1. Google Inc and Microsoft Corporation should be ordered by an AR jury to pay this Plaintiff punitive and compensatory damages of no less than $10 million each or as the jury determines based on the years of litigation required thus far and malicious harm done to this Plaintiff and all minor children. Google Inc and Microsoft Corporation should pay this Plaintiff significant punitive damages because of always being aware image "bits" could and **should always have been** rated or described so computers could categorize images as labeled by authors, but ignoring this fact maliciously to increase pornography profits and reinforcing the deception(s) of Article III judges like in open court in *Neeley v Namemedia Inc, et al,* (5:09-cv-5151) on December 6, 2010. *See* Docket #216 pp (71, 72) for this continuing deception made by Michael H. Page Esq for Google Inc.

2. Senator Mark Pryor, House Representative Steve Womack, and House Representative Tom Cotton should pay compensatory damages as determined by a jury for failing to protect: 1) the right to be tried by a jury for serious civil matters; and 2) failing to seek a bill to require judicial retirement at age 70 or sooner to properly qualify the "during good behavior" clause of Article III, but still protecting the independence of the Judicial Branch; and 3) for allowing the FCC to allow inversion of the Communications Decency Act of 1995 and allowing unconstitutional 47 U.S.C. §230 to remain inverted by a senescent Supreme Court unable to recognize the *Reno v ACLU,* (96-511) mistake and unable to be "peers"[20] to most citizens under age 45 including this Plaintiff when this litigation begun.

20 merriam-webster.com/dictionary/peer

3. Curtis J Neeley Jr prays Senator Mark Pryor, Representative Steve Womack, Representative Tom Cotton, and US Attorney General Eric Holder also pay damages for failing to introduce a bill or seek to protect the moral human rights of authors to exclusively control immoral creations for a time as encouraged in the Constitution by Article I, §8, Clause 8 in 1787 but never done though requested by this Plaintiff repeatedly for years.

4. Curtis J Neeley Jr asks a jury or judge under 70 to find 47 U.S.C §230 to be the unconstitutional mistake the obvious *Reno v ACLU*, (96-511) error has always been. Curtis J Neeley Jr realizes Congress can't be ordered to legislate but Senator Mark Pryor, Representative Steve Womack, and Representative Tom Cotton can be ordered to pay compensatory damages with an updated damages award to be reassessed in one year by another jury based on response or lack of response to this litigation. A jury may find guilt for current malfeasance warrants as little as $1 now. A jury will find continued malfeasance warrants much more after one year.

5. Defendant FCC Chairman, Tom Wheeler, recently wrote in a blog post[22] as follows.

> I do not believe we should leave the market unprotected for multiple more years while lawyers for the biggest corporate players tie the FCC's protections up in court. Notwithstanding this, all regulatory options remain on the table. If the proposal before us now turns out to be insufficient or if we observe anyone taking advantage of the rule, I won't hesitate to use Title II. However, unlike with Title II, we can use the court's roadmap to implement Open Internet regulation now rather than endure additional years of litigation and delay.

22 fcc.gov/blog/finding-best-path-forward-protect-open-internet

Above the FCC Chairman told US citizens of awareness the wire communications disguised as [sic] "internet" should have always been Title II common wire carriers. FCC Chairman, Tom Wheeler, also advised prior abusers of common carrier wires, like Defendant Google Inc, the continued priority customer access purchased regardless of other search traffic would be allowed to continue. The current favoritism allowed would be illegal under Title II but has now been revealed to the public. The Title II "realization" has been called the "nuclear option". Not hardly! The nuclear option is establishing an FCC search of communications on various apparatus left accessible to the public by wire communications with the duty to make these "billboards" safe and ensure these are not obscene, indecent, or profane "broadcasts" in violation of U.S. law and use these searches to reduce taxes by running ads.

6. The "*we should leave the market unprotected for multiple more years*", from the above blog post admits the FCC is aware of leaving the common carrier of wire communications unprotected for decades after the *Reno v ACLU*, (96-511) mistake. The FCC clearly intends to protect the delivery of "obscene, indecent, or profane" communications to the unauthenticated. This is nothing besides conspiracy by the FCC to violate US law.

7. Each FCC Commissioner sitting along with Tom Wheeler should pay this Plaintiff compensatory damages for the years of work and be advised this jury award will be reassessed after six months based on whether wire communications disguised as [sic] "Internet" are safe regardless of where accessed anonymously without filters or if these continue to broadcast unsafe communications using the continued disguise of free speech to spread immorality.

8. Curtis J Neeley Jr demands an AR jury trial but every filing will be made part of the public record and filed on FCC controlled computers attached to wires and perpetually be made accessible to the public there and/or at TheEndofPornbyWire.org including every docket number mentioned herein.

9. The general public is already the jury this litigation is before and is the only jury that will matter in the end by requiring: 1) completely safe common carrier regulation for [sic] "Internet" wire communications; and 2) protection of the **moral rights and responsibilities** of creators to exclusively control immoral creations for a time; and 3) requiring mandatory retirement for Article III judges by the Social Security retirement age of 65 or age 70 at the latest to end rule of an elderly oligarchy in the U.S.

10. None on Earth are likely to initially encounter modern times as a moderately intelligent and morally reforming visual artist like Curtis J Neeley Jr. did after a modern miracle not likely to ever again occur. This morally reformed Plaintiff regrets creating immoral visual "art" and wishes to now protect children and pornography addicts from immoral visual art consumption by wire, while avoiding responsibility for this undetectable "porn" consumption.

11. The United States has the opportunity and clear moral obligation now to: 1) seek enforcement of previously ignored or unrecognized but existing fundamental human rights and the associated individual human responsibilities; and 2) seek enforcement of previously ignored US laws. This claim should result in allowing uncensored but authenticated individual wired communications for all of humanity worldwide regardless of nation and an almost immediate end to illegal display of immoral material to the unauthenticated while escaping FCC regulation of wire communications safety required by laws ignored by the FCC since the ***Reno v ACLU*, (96-511) error** ruining the innocence of an entire generation.

Respectfully Submitted,

s/ Curtis J. Neeley Jr.

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