

**IN THE UNITED STATES COURT FOR THE
WESTERN DISTRICT OF ARKANSAS**

Curtis J Neeley Jr., MFA

v

CASE NO. 12-5208

Plaintiff US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

NOV 30 2012

**Federal Communications Commission,
Microsoft Corporation,
Google Inc.**

Defendants By **CHRIS R. JOHNSON, Clerk**
Deputy Clerk

**BRIEF IN SUPPORT OF MOTION FOR LEAVE TO
FILE SEALED EXHIBITS SUPPORTING
OBJECTIONS TO DOCKETS (14, 16)**

This brief supports the concurrently filed "Motion to File Sealed Exhibits Supporting Objections to Dockets (14, 16)". This brief is most respectfully submitted. All opposing were contacted on Friday 30, 2012 and Google Inc expressed no opposition to this motion being granted and said Google Inc will advise this Court in a separate filing. Microsoft Corporation attorney was in a meeting and yet would not likely oppose. *AND CALLED AND AFFIRMED THIS AT 4PM.*

INTRODUCTION

The motions to dismiss by each corporate Defendant are nothing besides Microsoft Corporation and Google Inc ignoring the facts involved in this case as well as the Amended Complaint. Google Inc has, in fact, altered search results much better than Microsoft Corporation due to having better cache update processes as well as having programmers altering or "HACKING" specific search algorithms.

ARGUMENT

Unsealed Exhibits are Accessible via Wire Communications

1. Filed exhibits are scanned and made accessible by unregulated wire communications and these are accessible to unidentified parties regardless of the content of the exhibits.
2. The images that support the Complaint are demonstrations the misconduct of Microsoft Corporation and Google Inc should not be made available by wire communications as a result of the Plaintiff's presenting these highly offensive images and images marked as "Not Safe for Work"(NSFW) that return in searches by each corporate Defendant as was plead in the Amended Complaint.
3. Some of the exhibits would be harmful to minors as well as adults and would violate 47 USC §231 regardless of why and what group decided.
4. This statute was ruled too broadly written to enforce and the Plaintiff sees this to still be properly obeyed like a mutilated speed limit sign that displays a trailing digit that is unrecognizable. 4X could then be assumed to be 40-49 but is most likely 40 or 45. The passing motorist who is going 39 would be safe. The passing motorist traveling 50 would be exceeding the speed limit regardless.

5. Rather than correcting the law, Congress has not acted. The Plaintiff believes the FCC should still enforce this law such that any potentially indecent artwork requires logging-in to view with notice that IP addresses and access times are recorded for 30 days and can be checked by an authority.

6. The Plaintiff does not wish to file images that should not exist in the Plaintiff's opinion. Plaintiff will make them password protected on the mirror of the docket that records this perpetually at curtisneeley.com/FCC/Neeley-Jr_v_FCC-et-al.htm.

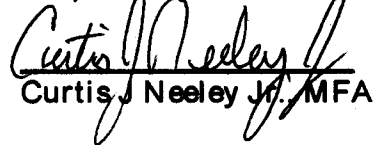
7. Some of these images have the possibility of offending the privacy of another person besides the Plaintiff and most US citizens. This evidence should be sealed to prevent this and keep this litigation from causing the spread of "WEB" indecency.

PRAYER/ Conclusion

Plaintiff prays the court grant leave to file sealed exhibits supporting oppositions to Dockets (14 & 16) and not allowing access to non-parties by wire or radio communications.

Curtis J. Neeley Jr.
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Suite 123
Fayetteville, AR 72703

Respectfully Submitted,

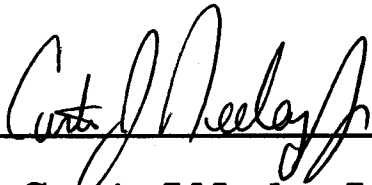

Curtis J. Neeley Jr., MFA

CERTIFICATE OF SERVICE

I, Curtis J. Neeley Jr., MFA, do hereby certify that on November 29, 2012, I filed the forgoing personally and the District Clerk will scan this and make it accessible via CM/ECF. Furthermore; every docket entry of Neeley Jr v FCC et al, (5:12-cv-5208) will be accessible by wire communications perpetually including a free mirror of the District Court Docket with freely provided electronic copies of every filing. The docket will be updated within 24-hours after any paper is filed by Neeley and can be accessed from the following UnRegulated Locations. (URLs)

1. http://CurtisNeeley.com/FCC/Neeley-Jr_v_FCC-et-al.htm
2. <http://CurtisNeeley.com/FCC/booklet-complaint.htm>

URL #1 is the mirror of the Docket and URL #2 is the amended complaint in html with links to the PDF and Doc files and with links to each exhibit PDF in addition to the links found on the docket mirror of URL #1.



Curtis J Neeley Jr MFA