

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

CURTIS J. NEELEY, JR., MFA,  
Plaintiff,

v.

Civil No. 12-5208

FEDERAL COMMUNICATIONS COMMISSION,  
MICROSOFT CORPORATION,  
GOOGLE INC.,

Defendants.

MOTION FOR EXTENSION OF TIME TO ANSWER  
OR OTHERWISE RESPOND TO COMPLAINT

Comes now the United States of America, by and through the United States Attorney for the Western District of Arkansas, on behalf of its agency, the Federal Communications Commission (FCC), and moves this court for a thirty (30) day extension of time within which to file a response to the complaint filed herein and as grounds states:

1. That the United States Attorney was served the summons and complaint in this matter on November 7, 2012. A response to the complaint is currently due January 7, 2013.
2. The undersigned counsel has been unavailable recently due to out of town court appearances and the holidays. On this date, the undersigned counsel discovered that substantial pleadings have been filed in this case by the plaintiff and other parties which must be reviewed by the undersigned counsel and agency counsel. Furthermore, there has been substantial litigation by the plaintiff related to this proceeding which will require further inquiry.
3. The United States of America, on behalf of the FCC, seeks a thirty (30) day extension of time, up to and including February 6, 2013, within which to respond to the complaint.
4. The undersigned contacted pro se plaintiff who advised that he had no objection to this request. A copy of his e-mail is attached hereto as an exhibit.

WHEREFORE, the United States of America prays its motion be granted, and the United States be allowed an extension of time, up to and including February 6, 2013, within which to file a responsive pleading in this case.

Respectfully submitted,

CONNER ELDRIDGE  
UNITED STATES ATTORNEY

By: /s/ *Claude S. Hawkins, Jr.*  
Claude S. Hawkins, Jr.  
Assistant U.S. Attorney  
Bar Number 77062  
414 Parker Avenue  
Fort Smith, AR 72901  
Phone: 479-783-5125  
Fax: 479-441-0569  
Email: [claudio.hawkins@usdoj.gov](mailto:claudio.hawkins@usdoj.gov)

CERTIFICATE OF SERVICE

I, Claude S. Hawkins, Jr., Assistant U.S. Attorney for the Western District of Arkansas, hereby certify that on December 31, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System. I further certify that I have mailed a copy of the foregoing to the following non CM/ECF participant:

Curtis J. Neeley, Jr.  
2619 No. Quality Lane, Apt. 123  
Fayetteville, AR 72703

/s/ *Claude S. Hawkins, Jr.*

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Claude S. Hawkins, Jr.  
Assistant United States Attorney

**Hawkins, Claude (USAARW)**

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**From:** Curtis@CurtisNeeley.com  
**Sent:** Monday, December 31, 2012 2:11 PM  
**To:** Hawkins, Claude (USAARW)  
**Subject:** Re: Neeley v. FCC, et al; Motion for Extension

Claude Hawkins Esq,

I understand the request and have no objection to the request. I do oppose the FCC permitting the continuation of the wire and radio communication obscenity and wire communications of indecency and realize this 30day request equates to much more than thirty million dollars of profits on unregulated wire communications and more than thirty marriages being destroyed by anonymous access to inappropriate visual art delivered by unregulated wire communications allowed by the FCC malfeasance. You may state I have no objection beyond this.

Sincerely,

Curtis J Neeley Jr.

- > Dear Mr. Neeley,
- >
- > The FCC requests a 30 day extension of time to answer or otherwise respond
- > to your lawsuit. Please contact me immediately if you have any objection
- > to the request for extension.
- >
- > I intend to file the request at approximately 4:00 p.m. today, and would
- > like to include your position on our request for extension in the motion.
- >
- > Claude Hawkins
- > Asst. U.S. Attorney
- > 479-783-5125
- >
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