IN THE UNITED STATES COURT FOR THE WESTERN DISTRICT OF ARKANSAS

Curtis J Neeley Jr., MFA **Plaintiff**

v

CASE NO. 12-5208

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

EXHIBIT "URL Wire Communications"

Unregulated wire communications (URLs) are the reason for the Earth's crashing economy and this is due to the malfeasance of the FCC begun after *Pacifica i*n 1978.

1. The Plaintiff has memories remaining from shortly after *Pacifica* as a "horny" teen learning of inappropriate visual presentations found in homes with CABLE television. The argument could be made that these inappropriate visual presentations were based on subscriptions to "*Showtime*" and limiting access to "*Showtime*" was the duty of the subscriber. Before broadband existed and computers became commonplace, an interconnected network of wire communications existed in order to distribute audio communications. Long before personal computers existed, a vast network of wire-line telephones were subsidized by governments and were built by governments as well as private entities.

2. Early dial-up phone wire connections allowed computers not connected to the existing interconnected CABLE television network to still COMMUNICATE vast amounts of data very quickly but NOT immediately. The existing world-wide distribution of audio telephone wires took well over a century and hundreds of billions of dollars. Audible data frequencies or lower will travel extreme distances via these wires.

3. Attempts to encode data beyond audible sound starts to touch the physical limitations of wire. Higher data frequency starts to require wire modification like were required to distribute early CABLE television. The propensity of high frequencies to not be accurately transmitted far by wire is a basic physical characteristic of wire. This simple physical fact is far beyond most humans alive including most judges for the next fifty years as well as most FCC personnel.

4. Shortly after WWI it became apparent wire communications were preferable for communication of data at great distances. The mission for the "Daily Telegraph"[2] newspaper from the late 1800s follows:

> "We should report all striking events in science, so told that the intelligent public can understand what has happened and can see its bearing on our daily life and our future. The same principle should apply to all other events—to fashion, to new inventions, to new methods of conducting business"

In 1902,[3] world-wide telegraph communications were possible though not always reliable due to damages to the oceanic cables. The fact that wire communications had circled the Earth made the study of signal propagation by wire lead to the beginnings of the unregulated wire communications of today(URLs).

5. This unregulated distributed network of wires were used by Claude S. Hawkins Jr., Esq in this litigation in docket #35 "Motion for Extension of Time to Answer" attachment #1 "E-mail from Plaintiff" to document the communication from Curtis J Neeley Jr (Plaintiff). while in Newark, Arkansas using wire communications to respond quickly to the telephone wire communication from the US Attorney earlier in the day.

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[2] Burnham, 1955. p. 6 The Daily Telegraph. (n.d.). In Wikipedia. Retrieved January 13, 2013, from wikipedia.org/wiki/The_Daily_Telegraph

[3] Telegraphy (n.d.). In Wikipedia. Retrieved January 13, 2013, from http://wikipedia.org/wiki/Telegraphy

7. The Plaintiff has only one phone and this phone is "*cellular*" and uses simultaneous wire and radio communication that are still marginally regulated by the FCC. The communication passed via 1.) the phone used by Claude S. Hawkins Jr., Esq either directly by wire skipping #2, or 2.) after received by the device attached to wire used by Claude S. Hawkins Jr., Esq; and 3.)then passing through wire communications to the mobile phone antennae in NE Arkansas, and 4.) then was transmitted by radio communications to the phone used by Curtis J Neeley Jr.

8. The medium this communication traveled the greatest distance in either direction on was the improperly regulated medium of wire. These wires were installed by private companies subsidized by public users and the US government. These wires are now improperly regulated by the FCC and this malfeasance is sought ordered to end.

9. The modern term for uninvited and intrusive communications by wire is "SPAM".and another modern term for communications by wire used by Claude S. Hawkins Jr., Esq is "E-Mail" in docket #35. These wire communications were invited and were not intrusive. The scourge of wire communications in the United States besides trafficking of inappropriate visual art is intrusive communication by wire. The pervasive "*SPAM*" and pervasive pornography propagated by unregulated wire communications in the United States will END shortly after the FCC begins regulating communications by wire. Intrusive wire communications will END when sending "*SPAM*"results in criminal prosecutions and fines.

10. Computer locations on the network of interconnected wires are addressed with alpha-numeric associations like "sleepspot.com" = "64.95.64.197". This association is current January 13, 2013. The alpha-numeric association for sleepspot.com is "controlled" by NameMedia Inc d/b/a "<buydomains.com>" and "<this-domain-for-sale.com>". The alpha-numeric association control is where the owning party controls the number associated with the "owned" text and is called "*registering a domain*". The "*domain*" <sleepspot.com> was originally used by the Plaintiff for reservation aggregation in 2001. <web.archive.org/web/20020924130736/http://curtisres.com>

11. Today the "*domain name*" or alpha-numeric association for <sleepspot.com> provides incontrovertible proof that content tagging, suggested by the Supreme Court in 1997, easily defends the safety of content viewership with complete protection of "free speech". This can be seen by looking at <web.archive.org/web/*/http://sleepspot.com> and comparing this to another domain once owned by the Plaintiff <web.archive.org/web/*/http://eartheye.com>. The use of the <robots.txt> file is made mandatory in "*proposed*" 47 USC §232, or the last four pages of docket #5 attachment #2 exhibit "B" and demonstrates how simple it would be for the FCC to require "*WEB*" content tagging and provide safety for the general public with complete protection of free speech like is done now for most commercial movies in the United States.

12. Today the VAST majority of "*domain names*" or alpha-numeric associations are done purely for deceptive advertisement as is generally prohibited jointly by the FCC and FTC. These deceptions generate billions of dollars for advertisers like Google Inc.

> "Wall Street analysts, however, estimate slightly less than half of Google's $6 billion in revenue last year came from ads shown on [parked] sites."[4]

[4] Leslie Walker and Brian Krebs (April 30, 2006) Typed too fast? Google profits from your typo. The Washington Post seattletimes.com/html/businesstechnology/2002962245_google30.html

13. Early in the development of unregulated wire communications the Plaintiff was involved with computer presentations connected to common carrier wires known as phone lines. The databases called "search engines" did not exist like today. Computer presentations made accessible by wire communications voluntarily registered their alpha-numeric associations with third-party searchable aggregations of alpha-numeric associations like "*AltaVista*", "*Lycos.*", "*WebCrawler*", "*Veronica*", and "*Jughead*". These aggregations were useful but contained almost none of the content of the remote computer presentations listed and often functioned much like the directory indexing currently allowed from <CurtisNeeley.com/FCC/New_GOOG_exhibits>, and <CurtisNeeley.com/FCC/New_MSFT_exhibits>. Here, file titles attempt to communicate information about the contents of the file with file sizes listed.

FREE SPEECH v 17 USC §107

1. Computer presentations first connected to common carrier wires had to agree on things like file formats and structure of the presentation of files. The "*meta*" portion of current computer "WEB" presentations still commonly have "*description*", "*keywords*", and "*content-type*". These fields are archaic and can be explained by early "search engines" using these to quickly summarize the remote computer presentation and conserve on stored data transferred by wires since this was time consuming and costly. Plaintiff's <*eartheye.com*> was an early computer presentation of photography predating EVERY Defendant search engine.

2. The "*indexing*" of computer presentations connected to common carrier wires, though NEVER submitted for third party data aggregation, are included in searches today based on improper and unfair usage of 17 USC §107 known as "fair-use".

3. Google Inc. was the first "search engine" with complete content indexing of computer presentations not submitted by the author for indexing but found by links from other computer presentations and used to decide how to organize the database search results to better reflect more popular unregulated wire locations(URLs).

> "In 1996, Larry Page and Sergey Brin called their initial search engine "BackRub," named for its analysis of the web's "back links" Larry's office was in room 360 of the Gates CS Building, which he shared with several other graduate students, including Sean Anderson, Tamara Munzner, and Lucas Pereira."[5]

4. Google Inc asserted and now asserts unrequested indexing due to making publicly accessible computer presentations (and now library books) is *allegedly* allowed in the United States because of 17 USC §107 (*"fair-use"*). This unfair "*fair-use*" is wholly EVIL and compares exactly to police searches of vehicles uninvited at a bar due to vehicles not being locked and using the results to cite the vehicle owner for possessing discovered drugs or other prohibited content. Google Inc CEO Eric Schmidt says as follows.[6].

> *"Privacy is not the same thing as anonymity. It's very important that Google and everyone else respects people's privacy. People have a right to privacy; it's natural; it's normal. It's the right way to do things. But if you are trying to commit a terrible, evil crime, it's not obvious that you should be able to do so with complete anonymity. There are no systems in our society which allow you to do that. Judges insist on unmasking who the perpetrator was. So absolute anonymity could lead to some very difficult decisions for our governments and our society as a whole."*

It appears that the elephant in the room (personal irresponsibility for distant wire communications) is recognized now to be utterly inappropriate by the CEO of Defendant Google Inc.

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[5] Koller, D .PhD (January 2004). *Origin of the name "Google"* Retrieved from graphics.stanford.edu/~dk/google_name_origin.html

[6] Bianca Bosker (May 25, 2011) *Eric Schmidt On Privacy (VIDEO):Google CEO Says Anonymity Online Is 'Dangerous'* Retrieved from secure.huffingtonpost.com/2010/08/10/eric-schmidt-privacy-stan_n_677224.html

5. Plaintiff, Curtis J Neeley Jr, once chose to use networked computers connected to wire for image presentations LONG before Google Inc existed and long before these computer presentations were subjected to inappropriate misuses of 17 USC §107 (*"fair-use"*) by Google Inc. The *Perfect 10 v Amazon, et al*, (06-55405,6) ruling is no authority whatsoever due to failing to address ANY issue relevant to the continuing unsafe display of indecent original art. The Ninth Circuit Court was wrong on its face. "*Perfect 10*" did not appeal due to financial considerations. Plaintiff was sought as a potential witness to testify but refused for reasons that should now be obvious due to the Plaintiff's belief that indecent art should not be accessible to unidentified parties ANYWHERE who might be minors whether at <perfect10.com>, <amazon.com>, or at <google.com>. The judicial revision of Federal laws leaves portion of *ACLU v Reno*, (96-511) enforceable and was improper law-writing by the United States Courts as were each of the following improper judicial declarations of law.

> *1)Campbell v. Acuff-Rose Music, Inc.*, 510 U.S. 569, 584 (1994) -- the "Pretty Woman" case; 2)*Harper & Row, Publishers, Inc. v. Nation Enters.*, 471 U.S. 539, 561 (1985) -- the "President Ford biography" case; 3)*Sony Computer Enter. v. Connectix Corp.*, 203 F.3d 596, 606 (9th Cir. 2000) -- the "video game emulator" case; 4)*Sega Enters. Ltd. v. Accolade, Inc.*, 977 F.2d 1510, 1524 (9th Cir. 1992) -- the "20-25 bytes" case; 5)*Kelly v. Arriba Soft Corp.*, 336 F.3d 811, 820-21 (9th Cir. 2003) -- the "search engine thumbnail images" case; 5)*Perfect 10 v Amazon, et al*, (06-55405,6) – the naked thumbnail case.

17 USC §107 is unconstitutionally vague on its face, as has never been addressed. Each application above failed to address this issue. The Fifth Amendment "right to remain silent" for improper past criminal actions supports an author's right to prevent republication of prior improper "speech" if associated with the personal name after repenting for these creations in order to not thereby abridge the right to free speech and violate the First Amendment "for a time", as Congress was authorized to protect in the Copy[rite] Clause of the Constitution.

6. Open [sic]"internet" of wire and radio communications are plainly evil and the laws that were written in 1934 forbid these or were written intending to prevent irresponsible and unsafe wire communications or radio communications as should now be clear. This Brief "*Educational*" Exhibit[7] was typed very slowly with one hand due to the Plaintiff's physical and mental disabilities.

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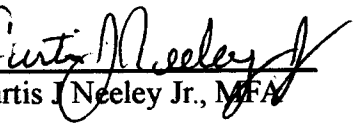
Respectfully Submitted,



Curtis J. Neeley Jr., MFA

[7] Calling this exhibit "*educational*" is not meant to imply an improper tenor but reflects being simply educational for the jury and the public who will most certainly read this. Simultaneous internet wire communications and internet radio communications were never ONE "wholly new medium" but are simultaneous uses of the two existing mediums. The ability to divide time segements nearly infinitely compared to the ability for human perception will make simultaneous internet wire communications become as pervasive as FM radio signals are today. This advancement of technology now allows FM radio stations of today to become ISPs if desired and continue using the same frequency in the current analog manner for sound broadcasts with only updated FCC rules. The FCC will continue geographically segementing the spectrum without preventing any analog radio reciever from working exactly the way they do now.

This is enough information for "engineers" to now make wire communication pervasive such that "broadband" is accessible anywhere in the United States. This is part of the mission for the FCC established in 1934.

The Plaintiff can further describe the process for making wire communications of "broadband" universally available after the FCC begins making these safe for the public. This requires trivial rule revisions as are ssufficiently described in the last four pages of docket #5 attachment #2 exhibit "B" and also describes fixing the US budget.