

**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,
Google Inc.**

Defendants

U.S. DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

JAN 24 2013

CHRIS R. JOHNSON, Clerk
By

Deputy Clerk

**SUPPLEMENTAL BRIEF SUPPORTING
THE MOTION FOR LEAVE TO FURTHER
AMEND THE AMENDED COMPLAINT**

Introduction

1. There are currently two near-frivolous Motions to Dismiss and one near-frivolous Motion for Rule 11 Sanctions. These will soon be denied and resolved. Summary Judgment Motion will be sought after Federal Communications Commissions answers or Moves for Dismissal.
2. Granting Leave to Amend should not have increased costs for any party besides the Plaintiff. Google Inc filed a near-frivolous opposition. The Second Amended Complaint can be completed by February 25, 2013 but will now add the claim of Google Inc maliciously continuing to associate images from "unregulated" locations ("URLs") with the text "curtis neeley" despite removal of "curtis neeley" from these URLs in a fraudulent use of computers as well as making the other constitutional and common law privacy claims more clear.
3. The Order Granting Leave to Amend the Complaint is prayed to now include denying the three near-frivolous pending motions of dockets (14, 16, 36). The prior supporting exhibits will be sought included by reference as well as docket #49 exhibit "URL wire communications" in order to give the public an overview of the history of unregulated wire-line communications ("URLs").
4. Leave to amend will be in the interest of justice as well as the interests of disclosing the phenomenal impact this litigation will have on free speech for the entire Earth and not just on free speech in this District. This action should result in the end of the [sic] "open internet" for the entire Earth. Personal responsibility for pervasive distant public speech per 47 USC §151 is in the public's best interest in 2013 just as it was in 1934
5. "Fair-use" individual abuses due unconstitutional 17 USC §107 and inappropriate misuse of 47 USC §230(c)(1) are not in the best interests of the public or this Plaintiff. Concise rational supporting granting leave to amend to preserve justice will follow.

ARGUMENT

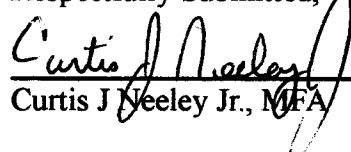
1. Google Inc must still answer for the prior trespass of Plaintiff's personal private decision to use <redbubble.com> and <deviantart.com> to sell naked images as art by presenting these online and complying with the **identity filtration sought required by 47 USC §231**. These were violations of 47 USC §605 by Google Inc trespassing on Plaintiff's private choice..
2. Google Inc continues now to violate the identity filtration sought and is nothing more than a content re-publisher using unconstitutional 47 USC §230(c)(1) to hide liability behind the sources of the harvested content obtained using **unconstitutional 17 USC §107**.
3. Plaintiff was very careful to clear <creative-nude.net/cnbn.html> of ALL usage of "curtis neeley". Numerous "*cache update*" requests were done by the Plaintiff. Google Inc refused to remove <creative-nude.net/cnbn.html> from those associated with "curtis neeley" and this continues to this day violating Plaintiff's privacy and abridging Plaintiff's free speech.
4. Results can be seen in the searches of <+"curtis neeley" nude site:creative-nude.net> or the instruction to look for nude images but only on files associated with "curtis neeley" from the unregulated location of <creative-nude.net>. This can be tested by use of the search query of <+"curtis neley" nude site:creative-nude.net> or any other one-letter misspelling of "curtis neeley" which will return no images but will suggest instead the query of <+"curtis neeley" nude site:creative-nude.net>. See Exhibit "CNN".
5. Microsoft Corporation has no cache update request process as is reckless and was thought already plead as a wrong. Google Inc now joins Microsoft Corporation in continued reckless association of the text-image associations with "curtis neeley" and indecent images seen in the commercial usage documented in exhibit "CNN" **as was intended prohibited by 47 USC §231**.

6. The Plaintiff believes justice demands pervasive distant communications be made safe just as all distant communications once had safeguards established by the Federal Communications Commission. "*Cellular*" or mobile telephones of today are simply simultaneous uses of wire and radio communications. **No new medium has ever existed.** Simultaneous wire communications and radio communications have been treated improperly since *Reno v ACLU*, (96-511). The whole body of human communications will soon be accessible to all humans. This requires first making simultaneous wire communications and radio communications safe.

7. Leave to file the Second Amended Complaint is now sought granted such that completion and filing by February 25, 2013 gives the Plaintiff adequate time to deal with an impending family surgery and gives Corporate Defendants time to study proper usage of the legal principle of *res judicata* or why violations of Plaintiff's past usage of <photo.net> is not included.

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Respectfully Submitted,

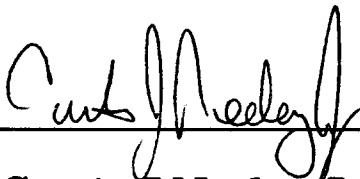

Curtis J Neeley Jr., MFA

CERTIFICATE OF SERVICE

I, Curtis J. Neeley Jr., MFA, do hereby certify that on January 16, 2013, I filed the forgoing personally. 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. CurtisNeeley.com/FCC/Neeley-Jr_v_FCC-et-al.htm
2. CurtisNeeley.com/FCC/New_GOOG_exhibits
3. CurtisNeeley.com/FCC/New_MSFT_exhibits

URL #1 is the mirror of the Docket. URL #2 is the password protected directory with access to all exhibit files prepared that are not accessible at URL #3. The username for logging in is "adult" and the password is "YeS" and proper case is required. These PDFs are often indecent or obscene and all access is logged.


Curtis J Neeley Jr MFA