

---

**No. 10-2255**

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

NameMedia Inc.,  
Network Solutions Inc.,  
Google Inc.  
Appellees,

v

Curtis J Neeley Jr., MFA  
Appellant.

---

**MOTION THAT CIRCUIT DOCKET BE RULED INSUFFICIENT AND  
THAT < [curtisneeley.com/5-09-cv-05151/Docket/index.htm](http://curtisneeley.com/5-09-cv-05151/Docket/index.htm) > EXHIBIT  
FILES BE CONSIDERED THE RECORD ON APPEAL**

---

Comes now Appellant, respectfully to this court, and requests the Court rule the Circuit Court Docket exhibits entirely insufficient. The Appellant viewed the Motion to dismiss as “nearly frivolous” and serving only to increase the costs of this action for Appellees. The Appellant NOW realizes an error in Docket 139 of omitting, “supported further by Docket 140”. Every exhibit that is in the Circuit court Docket was modified by the Court Clerk and made an illegible BW. The Appellant assumed the Ruling Judge would view the extremely costly exhibits filed by hand at the Fayetteville District Court office and had done so.

Appellant has discovered that this was never done. The Appellant now moves that every exhibit in the record be ruled insufficient. The exhibit "Sleepspot.com" downloaded on pacer illustrated how the ruling Honorable Jimm Larry Hendren could have used the offensive term "speculative" due to the reduction of the exhibit impact due impermissible alteration.

Appellant asserts the Joint Motion to Dismiss was marginally not frivolous due the missing referral to Docket 140. Appellant believes it understood Docket 140 was titled "Brief Supporting... [139]" and should have been obvious to opposing counsel rather than needing to scanning the Appellant's first angry Brief for rational.

Exhibit "Sleepspot.com\_Court-pacer" now entered is vastly inferior to exhibit "Sleepspot.com" and this accentuates the benefit of EC/ECF access for all parties. Appellant has pled in Circuit Court to be allowed EC/ECF access in Docket 158 filed with Supporting Brief Docket 159.

Appellant spent massive amounts of time and money producing color exhibits and assumed Honorable Jimm Larry Hendren would see them. The Circuit Court has never saw the evidence now in the record and justice can currently only "speculative[ly]" be done to quote a term Honorable Jimm Larry Hendren used. Appellant has just completed printing the Corrected Brief and will mail it out tomorrow. Appellant discovered what caused the last disk sent to be unusable and will attempt producing a usable disk to prevent needing to scan the Corrected Appellant Brief when it arrives.

The Court Clerk mutilated every exhibit thus far. The files in the mirror are the files printed from and are perpetually available online.

*See < [curtisneeley.com/5-09-cv-05151/Docket/index.htm](http://curtisneeley.com/5-09-cv-05151/Docket/index.htm) >*

This mirror has every filing as well as every exhibit of Appellant with Counselors email removed to protect their addresses from the party listings. The Eighth Circuit Docket is mirrored there also. This particular litigation will result in massive alteration of Internet use with absolutely no question. Making the Docket mirror exhibit files the official record of Appellant's exhibits prevents injustice since exhibits were inconsiderable as "scanned". Appellant asks Ruling Judges to particularly notice the illegible copy-right and common-law trademark disclosures. These modifications are impermissible.

Whereas the severely brain damaged and paralyzed pro se Appellant has herein illustrated the EC/ECF system inferior to paper copies of the exhibits now filed; Use of scanned exhibits are not in the interests of justice and invalidate the EC/ECF system completely by causing evidence entered to be modified impermissibly by the Court clerks. The EC/ECF system could indeed be useful but only if the submitting party was allowed to review the results of modifications for free. The Appellant desires that the exhibits be made either the color files shown in the mirror *Id.* or desires only the printed exhibits once filed be now viewed by ruling judges.

Respectfully Submitted,

s/ Curtis J Neeley Jr. \_\_\_\_\_

Curtis J. Neeley Jr., MFA

**CERTIFICATES OF SERVICE  
FOR DOCUMENTS FILED USING CM/ECF**

**Certificate of Service When All Case  
Participants Are CM/ECF Participants**

I hereby certify that on 7/20/2010, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/ Curtis J Neeley Jr.



# Directory & Reservation Center

**Rest easy...you're using SleepSpot™**



**SIGN UP FOR A FREE LISTING**

**Edit your listing.**

Looking for a system to help market your property on the Internet? Our directory and reservation systems work as well for bed and breakfast or inn operations as they do for thousand room hotel properties. Your marketing dollars bring customers to your site -don't sent them somewhere else for the sale and pay high commissions.

Our flat-fee or low commission software helps you minimize or avoid franchise, GDS, and other incremental charges on your internet inventory!

SleepSpot Reservation System works with your existing internet site or standalone.

Take full advantage of your internet marketing dollars. It's a win-win situation.

SleepSpot Directory helps bring visitors to your site -and it doesn't cost a dime.

**Orlando**  
**Howard**  
**Johnson**

**See the reservation system quietly at work on this feature site**

**More about-  
CURTIS  
RESERVATION  
SOFTWARE**



# Directory & Reservation Center



**SIGN UP FOR A FREE LISTING**

Looking for a system to help market your property on the Internet? Our directory and reservation systems work as well for bed and breakfast or inn operations as they do for thousand room hotel properties. Your marketing dollars bring customers to your site -don't sent them somewhere else for the sale and pay high commissions.

Our flat-fee or low commission software helps you minimize or avoid franchise, GDS, and other incremental charges on your internet inventory!

SleepSpot Reservation System works with your existing internet site or standalone.

Take full advantage of your internet marketing dollars. It's a win-win situation.

SleepSpot Directory helps bring visitors to your site -and it doesn't cost a dime.



**See the reservation system quietly at work on this feature site**



**More about-**

Ex. SleepSpot.com