

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

**Curtis J Neeley Jr., MFA**

**v.**

**CASE NO. 5:09~cv~05151**

**NameMedia Inc.**

**Google Inc.**

## **Final Supplemental Brief ordered by Honorable Erin L Setser in the December 6<sup>th</sup> hearing Regarding Docket 184**

Plaintiff was ordered to report about further attempts to remove nude images from the Defendant Google Inc image search without requiring a court order. The Plaintiff has attempted to contact every website that caused a figure nude or nude to be shown in a Defendant Google Inc image search for “Curtis Neeley”.

### **Wikipedia.com and Wikimedia.com**

The Plaintiff edited out all the nudes that were on the Plaintiff’s user profile and attempted to remove figure nudes from articles. Other editors reverted the edits because the images were donated and were obviously notable. The Plaintiff advised the Wikimedia Foundation Counsel that if the attributions were not altered that they would be sued for violating US Title 17 § 106A unless they disallowed the Googlebot-images robot. The Plaintiff was banned from being a contributor while threatening to litigate and then the Wikimedia Foundation unblocked the Plaintiff and altered attribution to the CN Foundation instead of “Curtis Neeley”.

1 This should result in most of the images that were in Google Inc image search because of the  
2 Wikipedia Foundation to no longer be in searches for “Curtis Neeley” because the Plaintiff’s name  
3 is no longer on the page. This will eventually cause the mirror site <wikiwak.com> to change as  
4 well.

## 5 **FineArtAmerica.com (FAA)**

7 FAA is a print selling venue that altered their robots.txt file so that the Google Inc Robot  
8 Exclusion Protocol (REP) would not show most of the Plaintiff’s figurenude photos. Overnight  
9 many of the figurenudes stopped returning but several did not. The Plaintiff advised FAA Support  
10 of the additional changes that were needed to maintain the integrity of the Plaintiff’s art and the  
11 FAA staff advised the Plaintiff that Google Inc was too valuable a traffic source for FAA to further  
12 modify their REP and that the Plaintiff should delete the images that remained to keep them from  
13 being displayed. In order to protect the integrity of the Plaintiff’s art, the Plaintiff stopped selling  
14 all of the figurenude photographs that were returned in searches due to FAA.  
15

## 16 **Nimril.BlogSpot.com**

18 Nimril.BlogSpot.com was a BLOG on a Google Inc server that a BLOG user had posted a copy of  
19 one of the Plaintiff’s figurenudes and attributed it to “Curtis Neeley” correctly. The BLOG was a  
20 Spanish language poetry site that the owner of had used a notable moonlight figurenude by the  
21 Plaintiff to illustrate a poem about moonlight on October 19, 2009. Plaintiff posted a comment to  
22 the BLOG in Spanish that asked that the attribution be changed from “de Curtis Neeley” to “de CN  
23 Fundacion” but that the moonlight poem was very nice. The BLOG owner removed the Moonlight  
24 Poet figurenude and replaced it with another nude that was not done by the Plaintiff and was not  
25 attributed to anyone and is obviously not on par with the Plaintiff’s notable art. This caused the  
26 notable Moonlight Poet figurenude image to stop returning in searches for “Curtis Neeley” nearly  
27 overnight possibly because it was on a Defendant Google Inc server.  
28

# CONCLUSION

Whereas the Plaintiff has dialoged with EVERY website that causes figurenudes and nudes to return in Google Inc image searches and asked and demanded that the robots.txt be altered or attribution be altered to protect the Plaintiff's integrity including one site that is beyond the legal reach of any known legal process to the Plaintiff; The pro se Plaintiff has therefore altered the entire photography landscape and has limited his speech and his artistic expressions due to Google Inc refusing to stop returning nudes in safe site searches for the Plaintiff's name. This has been a very un-American violation of fundamental rights to free speech but has now been completed. Google Inc makes most of their money from pornography trafficking in spite of malfeasance of the Federal Communication Commission having a mission of regulating wire communications since before it was called the Internet to allow the "open Internet" to exist. The Plaintiff asks that Google Inc be ordered to add the default safe search setting to include "-site:wikipedia.org -site:wikimedia.org -site:fineartamerica.com -site:ireference.ca -site:answers.com -site:wikiwak.com, and -site:mazotags.com" for all image searches for "Curtis Neeley" because <images.google.com /images?q=curtis+neeley+-site%3Awikipedia.org+-site%3Awikimedia.org+-site%3A fineartamerica.com+-site%3Aireference.ca+-site%3Aanswers.com+-site%3Awikiwak.com+-site%3Amazotags.com > is child friendly currently.

This is not censoring and could be included in a disclaimer or other. The Plaintiff believes the only moral Statute in the United States makes every display of a figurenude to a minor immediately a violation of the artists rights anchored in US Title 17 § 106A. There have only been about nine cases brought since the legislation was passed in 1990 in the litigious United States and this should now result in the largest copyright award by a jury in history and will require the Federal Communications Commission to finally regulate wire communications even when called the Internet. Portions of this litigation were dismissed in error. Another interlocutory appeal would only delay justice like the first interlocutory appeal did.

1 Display of a figure nude image by Google Inc to a minor or a Muslim is immediately  
2 violating the artist's **integrity** and every second Google Inc is allowed to return nude images in  
3 even child safe searches causes a great potential harm due to minor children including the Plaintiff's  
4 children possibly searching for "Curtis Neeley" or simply their father's name. Every single  
5 instance the Plaintiff's or any other minor children search for "Curtis Neeley" in a Google Inc  
6 image search violates the Plaintiff's artistic **integrity**. The Plaintiff has now done everything  
7 possible to halt Defendant Google Inc from violating **integrity** and implying that display of nudes  
8 to minors and Muslims is acceptable when it has been unacceptable since Adam and Eve first ate  
9 the forbidden fruit and realized they were naked. The described alteration of speech herein should  
10 result in no nudes resulting in Google Inc image searches in a few days. The Plaintiff prays that  
11 Google Inc be ordered not to index directories unless specifically permitted instead of indexing  
12 them unless excluded and alleging that failure to disallow googlebot-images is affirmation that  
13 display of the harvested images to minors and Muslims is therefore sought and violates  
14 **INTEGRITY** guaranteed by US Title 17 § 106A for visual artists since 1990 whether copyrights  
15 are registered or **are never registered**. Choosing to upload visual art in one publicly accessible  
16 venue does not imply that display of the visual art should be allowed to defame the artist in another  
17 venue and the Plaintiff has advised every search engine including defendant Google Inc that display  
18 of figure nudes to minors for searches for "Curtis Neeley" is outrageous defamation and violation of  
19 the Plaintiff's **integrity**. Honorable Erin L Setser could now end the Defendant Google Inc  
20 improper violations of the Plaintiff's **integrity** by ordering that no nudes result in searches for  
21 "Curtis Neeley" regardless of where disclosed. Otherwise a JURY will do this in July 2011 and  
22 damages will continue to increase until that time.

23  
24  
25 Respectfully submitted by hand,

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27  
28 Curtis J. Neeley Jr., MFA

# CERTIFICATE OF SERVICE

I hereby certify that today I will file a copy of the foregoing with the Court clerk for the United States Court in the Western District of Arkansas and the clerk will scan each document and it will be made into a B&W PDF and be available to all attorneys representing the Defendants for this case. Their Counsel will each receive notification from EM/ECF. The color PDFs that were printed from are accessible free to the public at <<http://www.CurtisNeeley.com/5-09-cv-05151/Docket>> immediately and perpetually by the end of the day.

**[CurtisNeeley.com/5-09-cv-05151/Docket](http://www.CurtisNeeley.com/5-09-cv-05151/Docket)**

/s/Curtis J Neeley Jr, MFA  
Curtis J Neeley Jr, MFA