

# **Exhibit**

## **“Complaint”**

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

Curtis J Neeley Jr.

Plaintiff

CASE NO. 14-cv-5135

5 Federal Communications Commissioners,  
FCC Chairman Tom Wheeler et al,  
US Attorney General Eric Holder Esq,  
Microsoft Corporation,  
Google Inc.

Defendants

## Short, Simple Complaint Seeking Civil Damages for Intentional Continued Violations of 18 U.S.C. §2511 & A.C.A. 5-41-103 as Authorized by 18 U.S.C. §2520 & A.C.A. 5-41-106 & Authorized from FCC Commissioners & Eric Holder Esq by 42 U.S.C. §1983

This Plaintiff has a long convoluted history in the United States Court for the Western District of Arkansas for what is today the only attempt in history to seek damages for violations of 17 U.S.C. §106A “online” for original photographs or for photographs shown ANYWHERE since 1990 when 17 U.S.C. §106A was created. This District Court held 17 U.S.C. §106A excludes “online” publications. This mistake is not the rational for this claim. All naked images authored by this Plaintiff besides two “online” are gone or are deleted. There remains no usage of this Plaintiff’s name with Plaintiff’s original naked art like fraudulently asserted by both Google Inc and Microsoft Corporation though some use of Plaintiff’s name on pages with naked images remain.

### 18 U.S.C. §2511

1. Interception and disclosure of wire, oral, or electronic communications is a prohibited criminal act and this entire statute does not contain “contemporaneous” or any reference for times intercepted or places intercepted. “Intercept” is, in fact, defined in 18 U.S.C. §2510(4) as follows.

*(4) “intercept” means the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.*

2. Communications authorized only for authenticated individuals are not authorized for display to the general public, like described in 18 U.S.C. §2511(g)(i), but are intercepted by Google Inc and shown to children or the unauthenticated anywhere. Plaintiff seeks the punitive damages authorized in 18 U.S.C. §2520(b).

### **A.C.A. 5-41-103**

Plaintiff also seeks punitive civil damages authorized for A.C.A. 5-41-103 computer frauds from Google Inc and Microsoft Corporation when these type “damages” are appropriate per A.C.A. 5-41-106 as follows:

*(1) Any person whose property or person is injured by reason of a violation of any provision of this subchapter may sue for the injury and recover for any damages sustained and the costs of suit.*

*(2) Without limiting the generality of the term, "damages" include loss of profits. -*

### **42 U.S. Code § 1983**

*“Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer’s judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.” ...*

1. Plaintiff seeks redress from each FCC Commissioner and the U.S. Attorney General for allowing the communications crimes and computer frauds allowed in private communications used in interstate commerce under color of law due by failing to regulate wires as the common carriers these are using the [sic]“Internet” wire communications protocol as defined in 47 U.S.C. §153 ¶(59) like follows.

**(59) Wire communication**

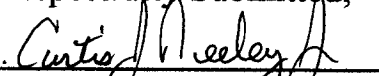
*The term "wire communication" or "communication by wire" means the transmission of writing, signs, signals, pictures, and sounds of all kinds by aid of wire, cable, or other like connection between the points of origin and reception of such transmission, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.*

2. The definition above clearly includes all mobile telephones and all Wi-Fi communications as well as every apparatus communicating on the [sic] "internet" via wire communications whether called "wireless" or "Wi-Fi" for the last few miles or not.

3. Actual damages are far greater than \$512.82 and a jury trial of peers is demanded and is guaranteed by the Seventh Amendment as follows with \$512.82 being the inflation adjusted amount \$20 from 1790 would be in 2014. Punitive damages well into the scores of millions are now warranted and demanded from the AR jury guaranteed by the Seventh Amendment that follows.

*In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.*

Respectfully Submitted,

  
s/ Curtis J Neeley Jr.

Curtis J. Neeley Jr.  
2619 N Quality Lane  
Apartment 123  
Fayetteville, AR 72703  
14792634795