IN THE UNITED STATES COURT FOR THE WESTERN DISTRICT OF ARKANSAS

U.S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED
JUL 21 2014
CHRIS R. JOHNSON, CLERK
BY DEPUTY CLERK

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

ANNEX OF SHORT, CONCISE MATERIAL FACTS WITH NO GENUINE DISPUTE TO BE TRIED

This pro se Plaintiff failed to concurrently file a short, concise list of material facts with no genuine dispute to be tried to comply with Local Rule 56.1. This short, concise list of material facts with no genuine dispute to be tried will now be filed to be annexed to docket #15. The short, concise list of material facts follow and none are controvertible and can be seen in exhibits in the record. Guilt is only a matter of law.

1. Google Inc (GOOG) and Microsoft Corporation (MSFT) each operate wire communications searches where every search is designed to obtain money by displaying advertisements and charging money for these advertisements.

2. GOOG "*alleges*" "Curtis Neeley" appears on (creative-nude.net/cnpn.html) for years after advised this is incorrect. Seen Exhibit "18 U.S.C.§2511 GOOG".

3. GOOG "*alleges*" the text "Curtis Neeley" appears on the website <photo.net> on page (photo.net/photos/Gooseberry) over five years after first advised this was untrue and after numerous attempts to update the "*alleged*" cache.

4. GOOG "*alleges*" the text "curtis neeley" appears on the website <pbase.com> on the page returned for (pbase.com/josemanchado/desnudos&view=topic_add) despite numerous attempts to update the "*alleged*" cache and an announcement on this page of officially moving like: - "MOVED!! - trasladada la web a www.josemanchado.es".

5. GOOG "*alleges*" the text "curtis neeley" appears on <creative-nude.net> on page (creative-nude.net/cnpn.html) despite the fact that this fraud is criminally ignored and many cache update requests are all denied. See Exhibit "A.C.A. 5-41-103 GOOG"

6. GOOG returns thumbnail copies of the following four colored graphics at these URLs to any anonymous unauthenticated searcher in clear violation of 18 U.S.C. §2511.

1) th00.deviantart.net/fs70/PRE/i/2012/311/5/8/safcc2_sign_by_curtisneeley-d5kblwa.jpg
2) th02.deviantart.net/fs71/PRE/i/2013/287/c/3/safcc3_by_curtisneeley-d6qhrlc.jpg
3) th01.deviantart.net/fs71/PRE/i/2013/287/f/f/wireless_spectrum_b_by_curtisneeley-d6qhtfn.jpg
4) fc09.deviantart.net/fs70/f/2013/287/2/2/wireless_spectrum_by_curtisneeley-d6qhtv6.jpg

7. No general public see the four colored graphics listed above or are advised of these image locations without the criminal assistance of GOOG. This is proof of clear violation of 18 U.S.C. §2511, **-not protected by 18 U.S.C. §2511(g)(i)**.

8. GOOG denied (128) cache update requests but removed ONLY (15) images as requested. GOOG listed (102) cache update request's "status" as expired, as is not defined anywhere by GOOG but were IGNORED. See Exhibit "A.C.A. 5-41-103 GOOG"

9. MSFT "*alleges*" the text "curtis neeley" **appears on** the adult erotica website of <michelle7-erotica.com> on page (michelle7-erotica.com/covers/2002/02/index.php) long after the site owner, Michael Gilbert, ensured "curtis neeley" is never returned on ANY site of his till after password entries. This particular "scheme to obtain money" remains false despite years of constant notifications. Ironically, MSFT also "*alleges*" the text "curtis neeley" **is NOT on** the cache of this page as can be nothing but criminal.

10. Many of this Plaintiff's images are sold through <fineartamerica.com>. The text "curtis neeley" is NOT on a page with nakedness as Fine Art America Inc will affirm.

11. MSFT, themselves, "*allege*" the text "curtis neeley" **appears on** the website <fineartamerica.com> at (fineartamerica.com/art/paintings/brain/all) and also "*alleges*" the text "curtis neeley" **is NOT on** the cache of this page as can be nothing but a fraud.

12. MSFT and GOOG each return scores of naked images to the unauthenticated public from pages marked as "not fit for public consumption" as is a profitable, organized, criminal enterprise harming this Plaintiff's and everyone's ability to parent.

13. MSFT "*alleges*" the text "curtis neeley" **appears on** the adult website of <creative-nude.net> on page (creative-nude.net/cnpn.html). MSFT, ironically, "*alleges*" the text "curtis neeley" **is NOT on** the cache of this page as can be nothing but wrong.

This short list is supported by exhibits and would be utterly trivial to correct. Failure to correct emphasizes the "wizard behind the cloud" perception desired though GOOG/MSFT are ONLY the operation of simple programs executing human instructions. Machines do not need sleep but do nothing independently. Honorable Jimm Larry Hendren's role in the end of anonymous U.S. pornography consumption book/movie is settled. The role for the Honorable Timothy L. Brooks character is still being determined.

This Plaintiff and hundreds of programmers in the United States could create "search engines" exceeding GOOG in every useful way EXCEPT anonymous delivery of pornography or other images within two weeks using geographically spread, flat-field databases and Perl 5.0 on dozens of web servers requiring webmaster requests for continued indexing and affirmations of genuine content and affirmations of no porn. July 2014, GOOG alleged to **stop selling ads on pornography**. **OMG!**

This gracious "*moral act*" was only recognizing Europe plans to ban ALL anonymous access to pornography. GOOG thus admitted negligence and responsibility for much of the current pornography plague costing billions of dollars and millions of

marriages or HUNDREDS of billions in unrecoverable damages. GOOG caused this plague by creating online "public nuisances" for children and creating dangerous lures for consenting adults to anonymously consent to view or INDULGE in.

This advance "permission to sin" by GOOG et al is as tempting and as wrong as "indulgences" were in 1517. This litigation is today's "DISPUTATION ON THE POWER AND EFFICACY OF INDULGENCES". These "indulgences" are simply more profitable and are, in fact, the most profitable human activity in all of history. GOOG would not simply require authenticated logging-in for ALL "indecent" searches when asked kindly to settle by doing this. The Neeley I, Neeley II, Neeley III, and this litigation are clear proof of malicious intent to profit needing no trial except to determine PUNITIVE damages a jury feels is warranted for the organized criminal enterprise of the communications crimes now plead and the hazardous "indexing" of unlabeled JPG images as should never have EVER occurred but is not in this action. This book/movie is started. The Honorable Jimm Larry Hendren character's role in the end of anonymous pornography access for the U.S. book/movie is settled. What role will the Honorable Timothy L. Brooks character have in the end of anonymous pornography consumption in the United States book/movie since this will happen within two years; regardless.

These attempts to clear online of Plaintiff's name used with naked images are each documented as well as contacting webmasters in Hungary, Portugal, Russia, Spain, Canada, and Great Britain in their native tongues or dialects as well as in many U.S. States in "Arkansas" English in an honest attempt to have pages updated or removed.

Many compete websites or pages are gone and **hundreds of thousands of naked images are gone**. GOOG maliciously refuses to update many cache requests **sent to counselors and not just automatically refused by computers.** One pornographer in Portugal preserved an unauthorized copy of three-plus years of a BLOG with naked images by this Plaintiff after deleted by another pornographer as requested. This existing Portuguese page does not return in GOOG searches and is nothing but an ad page done

for spite by an angry pornographer. Loading this page crashes most browsers due to having several years of entries on one HUGE page.

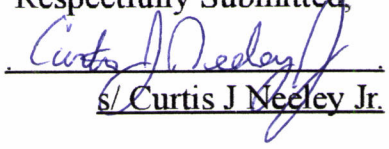
The **Internet Archive Foundation** responded positively and cleared many old naked webpage images as requested as did the online user-created encyclopedia by **Wikipedia Foundation**. The decades old Russian website <**artnude.pp.ru**> is gone and <**nudeartcollection.com**> is also gone. Neither has ANY naked images and probably never will. The book "*Renescent Vol III*" preview was removed from Google Books though (books.google.com/books/about/The_Renascent_Vol_3_Photography.html) with a review done four-five years ago by this distressed Plaintiff remains. The book publisher does not show this Plaintiff's naked creations at their own website and the page with this Plaintiff's name (code-interactive.com/renascentculture/index.html) shows no naked images. The page linked from Plaintiff's name reveals no nakedness either as follows though a broken image shows on the page that once had a naked image by this Plaintiff as follows. See (code-interactive.com/renascentculture/vol3/neeley.html)

This Plaintiff has diligently worked almost 15,000+ hours clearing "online" of all original depictions of nakedness with the text "curtis neeley" over the last few years as recommended by GOOG's "URL removal tool" (See attachment ACA 4-41-103 GOOG) instead of acting responsibly as would have taken less than one week.

This short list "shows cause" enough for Summary Judgment as a matter of law as this Plaintiff prays is now found.

Curtis J. Neeley Jr.
2619 N Quality Lane
Suite 123
Fayetteville, AR 72703
14792634795 -t-sms
15014217083 -f

Respectfully Submitted,



s/ Curtis J Neeley Jr.

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CERTIFICATE OF SERVICE

Plaintiff, Curtis J Neeley Jr, most respectfully affirms under penalty of perjury this will be filed and scanned by the United States Court for the western District of Arkansas and this scan will then be mirrored free "online" at TheEndofPornbyWire.org within 24 hours and be made available perpetually for free. The Western District of Arkansas has currently too many cases for timely consideration and this motion is an honorable attempt to save time though remaining just.

Respectfully Submitted,

s/ Curtis J Neeley Jr.

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1 also submitted before EVERYONE "online" on Earth at TheEndofPornbyWire.org