No. 14-3447
IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

Curtis J. Neeley Jr.

Appellant,

vs

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

Appellees.

MOTION TO RECAPTION CASE AND SEEK EIGHTH CIRCUIT REQUEST FOR APPELLEE AND EFFECTED PARTY RESPONSES

The most significant communication case ever pursued in all of human history should now be debated by the U.S. Attorney General Appellees and the Federal Communications Commissioner Appellees and any other interested parties because the two organized criminal corporations Appellees will only defend their profitable criminal enterprises. On March 12, 2015 Commissioners except Commissioner Ajit Pai and Commissioner Michael O'Rielly admitted "online" has always been a common carrier TDM protocol of wire communications. Commissioner Ajit Pai along with Commissioner Michael O'Rielly wish to perpetuate the attractive nuisance of wholly unregulated free speech in America as invented in factual error and called a new medium by the Supreme Court in 1997 by mistake.

Time, Place, And Manner Regulations

1. The 18-year-old decision is absurd because the 1997 court held the Communications Decency Act could not be examined as "*a form of time, place, and manner regulation"* and was *"a content-based blanket restriction on speech*" failing to address the audience authentication protocol that is now required trivially by Facebook, Disqus, GOOG, et. al. The [sic] "internet" is no longer a mysterious manner of common carrier communications everyone thirty-one (31) or younger has known since the age of 13.

2. During the prior century, the specific time of day and specific physical location communications were made allowed a limited regulation of otherwise wholly free speech. The limited manner regulations were applied allowed wholly unregulated free speech to be broadcast but only when broadcast to a qualified or authenticated audience.

3. The [sic] "internet" existing today is an impermissible attractive nuisance making the common carrier of pervasively available wire communications unsafe and prevents these communications from reaching world-wide as alleged once in *Reno v ACLU*.

4. Failure of the U.S. Attorney General and the Federal Communications Commission to protect the common wire carrier of worldwide wire communications has harmed the moral culture of the entire United States. Viewing naked humans and encountering indecent communications was made a *de facto* human right extended by Honorable Jimm Larry Hendren to children against the fundamental human right of parents to raise children according to their own personal morals first in 2003 and continuing now by allowing communications made by "good Samaritans" and labeled as not fit for minors to encounter to reach children on a common carier.

U.S. Solicitor General and Federal Communications Commission

1. Claude Hawkins Esq. advised the Plaintiff/Appellant personally by telephone of receiving electronic service of this litigation already but not opening these on March 12, 2015. Claude Hawkins Esq. advised the Plaintiff/Appellant that without a request by the Eighth Circuit for a response there was no plan to give one. This litigation is the start of the most impacting disputation ever made since Rev. Martin Luther in 1517. The numerous parties who filed in the Ninth Circuit *Garcia v Google*, (12-57302) case and many more would file *amici* if the U.S. Attorney General and the U.S. Federal Communications Commission were asked to respond by the Eighth Circuit.

CASE CAPTIONING

1. This severely brain injured Plaintiff/Appellant listed all judges older than sixty-eight who ruled on prior improperly dismissed claims and all Arkansas Congressmen for failing to recognize the human rights missing in America since asserted for protection by the Copy[rite] Act of 1790. This was because of seeking absolute moral justice combined with a severe TBI spawning an improper generalized disrespect for the aging mind. The impact of physical aging does impact the human mind. This Plaintiff/Appellant has realized the extremely offensive tenor of prior communications when speaking with Honorable Antonin Scalia at age 78 and being generally amazed at the wisdom on display thirteen years after age 65.

CONCLUSION

This Plaintiff/Appellant begs the Eighth Circuit panel to authorize captioning this case with Federal Communications Commissioners, FCC Chairman Tom Wheeler, et. al., US Attorney General Eric Holder Esq, Microsoft Corporation, and Google Inc ONLY so it does not appear so frivolous and embarrassing and ask the U.S. Attorney General and Federal Communications Commissioner as well as any other interested party to respond when scheduling this litigation for rehearing by the Eighth Circuit to preserve United States moral honor when regulating common carriers to make these safe or the mission given the FCC in 1934 when created.

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Respectfully Submitted,

s/ Curtis J Neeley Jr.

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