

Motion for Summary Disposition

Injunctive Relief is pursuant to Violations of Voter Intimidation committed by Both Fox News, & the Federal Communications Commission (FCC): 52 U.S. Code § 10101(c); Fox News daily ambiguous & confusing violations that triggered the deprivation of Voting Rights, by Misinformation & Disinformation of Election facts & figures, pursuant to Title 52 § 10101(b) & Fed. R. Civ. P. 12(b)(1) and 12(b)(6) “a liberal interpretation of a civil rights complaint may not supply essential elements of the claim that were not initially pled.” *Ivey v. Bd. of Regents of the Univ. of Alaska*, 673 F.2d 266, 268 (9th Cir. 1982);

Prosecution Respects the First Amendment and all Laws enforcing Voting Rights which does NOT contradict the first amendment rights of newscasters and newscasts; The court shall grant Relief when Prosecution shows that there is no genuine dispute as to any material fact (Fox News Admission (Dkt. 45), United States House of Representatives & FCC Letters (Exhibits A & B) (Dkt.63), & findings of Senate Judiciary Committee (Dkt.22)) is entitled to Relief as a Matter of Law. Title 52 section § 10101(c); The Federal Communication Commission is the ONLY regulatory authority for news services and Election programming; 42 U.S. Code § 1983; however, Voter Intimidation by misinformation and disinformation have gone unenforced;

A Senate Judiciary Committee Bill (Dkt. 22) cited as the “Deceptive Practices and Voter Intimidation Prevention Act of 2021”. Congress makes the following findings: (1) The right to vote by casting a ballot for One’s preferred candidate is a fundamental right accorded to United States citizens by the Constitution, and the unimpeded exercise of this right is essential to the functioning of our democracy. (17) During the 2020 presidential election, voters in some precincts faced voter intimidation during early voting and on election day. (18) Those responsible for these and similar efforts should be held accountable, and civil and criminal penalties should be available to punish anyone who seeks to keep voters away from the polls by providing false information. (20) The Federal Government has a compelling interest in “protecting voters from confusion and undue influence” and in “preserving the integrity of its election process”. *Burson v. Freeman*, 504 U.S. 10 191, 199 (1992);

Court purports a scandalous (Voter Intimidation) contention; Canon 5; 28 U.S. Code § 351 & frivolous allegations of Pro Se Prosecution; 18 U.S. Code § 242, 28 U.S. Code § 1654, However Notice of Declaration (Dkt.11) & of Enforcement Declaration (Dkt.21); allege 1st Amendment Rights are being alleged to remedy Voter Intimidation claims, & allege Fox News 2020 Election Season’s misinformation & disinformation; Sufficient factual allegations is supported by the FCC Commissioner Carr Response to U.S Representatives Letters (Exhibit A & B), Senate Judiciary Committee (Dkt. 22) findings and a Fox News Admission of Voter Intimidation (Dkt. 45); *Andrews v. King*, 398 F.3d 1113, 1121 (9th Cir. 2005) (quoting Webster’s Third New International Dictionary 913 (1993));

A Signed Prosecutors Declaration was submitted, However due to an error with Electronic Document Submission (EDSS), System Maintenance that was addressed after the PDF error occurred; During this maintenance, the following applications was updated CM/ECF, & EDSS. <https://www.cacd.uscourts.gov>, which was not commented or addressed on by the Court;

The Prosecutors Declaration, Legal Standard, & Injunctive Relief as a Matter of Law, Explains why the Complaint & Claims are NOT frivolous and should move forward: 28 U.S. Code § 1746; 52 U.S. Code § 10101(c);

Injunctive Relief becomes an FCC proactive enforcement on all newscasts from airing or demonstrating Voter Intimidation; including the demonstration of Election Results on Election Night before each Secretary of States Official Certification, providing Mitigation for Election Season broadcasts from influencing Election results & Voter Suppression; Prosecution is also recommending jail time for FCC Commissioner Brandon Carr and his egregious (cause of action) letter (Exhibit B) (Political Reference "Democrats") inhibiting Federal Law and our Constitutional Rights for a fair and free Election;