21-8275 ORIGINAL

WRIT OF CERTIORARI
In the Supreme Court of the United States

James Lawrence
Petitioner Pro Se
v.
Hearst
Respondent

On Petition for a Writ of Certiorari to United States Court of Appeals for the Second Circuit

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STATEMENT OF THE ISSUES PRESENTED FOR REVIEW:

AT ISSUE:
ARGUMENT OF HEARST/WESTPORT NEWS REPORTING
Article'#1 March 11, 2018
"Westport Man Allegedly Followed Woman Around" (a market)
then
Article #2 March 23, 2018
"Police: Man Harassed Women for Years" and
"haunted women"

Westport News
https://www.westport-news.com/news/article/Police-Westport-man-harassed-women-for-years-12774215.php

Police: Westport man harassed women for years

By Sophie Vaughan Published 12:00 am EDT, Friday, March 23, 2018

and then-
Article #3 February 11, 2019
"Man Accused of Harassing Women Arrested Again"

Westport News
https://www.westport-news.com/news/article/Westport-man-accused-of-harassing-women-arrested-13607857.php

Westport man accused of harassing women arrested again

By Sophie Vaughan Published 3:40 pm EST, Monday, February 11, 2019

as
NOT being *"substantially true"*.

INTRODUCTORY QUESTION:
- Can a media organization repeatedly dox a past arrest insinuating conviction without clarifying if the arrest ever became a conviction? Meaning at what point is the same reporter obligated to do research or ascertain an Official Criminal Background Check to report on the Final Disposition let alone report the already KNOWN conviction records?

INTRODUCTORY QUESTION:
- In addition, if we are to allow journalists to seize Warrants about an arrest are not journalists obliged to parrot the actual wording of the Warrant of the arrest they are covering and NOT inject their own wording especially when their choice of wording are actual criminal laws that the person being reported upon was not arrested for?

ISSUES/QUESTIONS ISSUES/QUESTIONS FOR REVIEW:

QUESTION #1a:
- Can a media lawfully portray this ONE TIME Second Degree Breach of Peace arrest as *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") given the fact that the HARASS terminology (COURSE OF CONDUCT BEHAVIORS AND ACTUAL LAWS) are not part of the Second Degree Breach Of Peace Statute?

QUESTION 1b:
- Can a media lawfully portray this ONE TIME Second Degree Breach of Peace arrest as *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") given the fact that the HARASS terminology are not part of anything in someone's past i.e. long past closed "cases" devoid of arrests of any kind (or as the Second Circuit CIVIL Court of Appeals writes the past ***"totality of Lawrence's conduct")*** with statute of limitations in effect?

QUESTION #1c:
- Can a media lawfully portray this ONE TIME Second Degree Breach of Peace arrest as *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") given the fact that the HARASS terminology is NOT DEPLOYED BY THE WARRANT WRITING OFFICER?

QUESTION #1d:
- Can a media lawfully portray this ONE TIME Second Degree Breach of Peace arrest as *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") given the fact that the HARASS terminology are NOT part of ANY PHANTOM WOMEN WORDING (NO NAMES OR QUOTES)?

QUESTION #1e:
- Can a media lawfully portray this ONE TIME Second Degree Breach of Peace arrest as *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") given the fact that the mentioned past "cases" being interpreted within Warrant had actual "'Police" investigations that showed NO PROBABLE CAUSE, AND NO POLICE ACTION with Statute of Limitations fully in effect for decades?

QUESTION #1f:
- Can the Second Circuit Court of Appeals allow and empower the extreme 4 years and counting characterization of *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") and *"haunting women"* and then 1 year later *"Man Accused of Harassing Women"* to someone (James Lawrence) based on a One Count of Second Degree Breach of Peace Warrant narrative *"follow and get into personal space"* that mentions prior KNOWN unproven and unproveable past investigated

long closed cases resulting in no arrest of any kind (or as the court writes past *"totality of Lawrence's conduct"*) with statute of limitations in effect all the while the **author of the Warrant states in a sworn Deposition that he not only never deployed the words "stalk" or "harass" but never thought of using this words of "stalk" or "harass"?**

QUESTION #2:
- Is not the opinion aka Deposition of the Warrant writing officer enough to allow for a jury of our peers since Hearst has been given multiple opportunities since the Deposition to remove their unproven and unprovable coverage free of any lawsuit?

QUESTION #3:
- If a media company are to choose different words than the Warrant (chosen words that are actual criminal laws) should they not be obligated to have **actual names with actual quotes** from a woman/women **accusing** deploying the harassing terminology?

QUESTION #4:
- Is not a case (James Lawrence v. Altice/News 12) where a media organization chose their own words (*stalk*) that deviat**ed** from the Warrant's wording and actual arresting charge, and then this media organization (Altice) made remedial efforts by removing all their unprovable coverage within **one day, radically let alone *substantially* different** than a case (James Lawrence v. Hearst) where a media organization who themselves chose their own wording (*harass*) deviat**ing** from the Arrest Warrant wording and actual charge, and refusing to remove any aspects of their unprovable coverage thereby their coverage being alive for **4+ years** and counting?

QUESTION #5:
- Is not 1 day different than 4+ years? AND are not the Damages from 4+ years more extreme and worthy of a jury than 1 day?

QUESTIONS #6:
- Is not the term harassing a broad term that has many possible connotations and thus needs to be more precisely defined like the various forms of typical harassment, because the *"mind of the average viewer"* let alone top Internet searches for the term harassment shows sexual harassment with accusers, as the most likely result or *"substantial"* opinion especially involving a man and a woman?

QUESTIONS #7:
- Can fully KNOWN long past CLOSED CASES aka decades old complaints/calls of concerns and resulting warnings devoid of any Probable Cause for any type of arrest (let alone the Course of Conduct arrest of either harassment or stalking) and devoid of any evidence in the form of Sworn Written Statements, video coverage, witnesses,

etc ... or more appropriately - quotes from actual named women, be lumped together as what the Second Circuit Court of Appeals wrote in James Lawrence v. Altice ***"the totality of Lawrence's conduct"***?

- Are unwanted one-time fully investigated flirting incidents devoid of Course of Conduct evidence fair game to be portrayed as *"haraassing"*?

QUESTIONS #8:

- And does the Second Circuit Court of Appeal have the right to even write *"Lawrence's documented history of following women in a harassing manner"* when the Warrant writing officer himself never used the terms harassing or stalking (both Course of Conduct behaviors) and within Warrant writing officer's Sworn Deposition (See Appendix D) said he never thought of using these words stalk or harass and opted for *"get into personal space"* – an actual dictionary that NEVER has the words harass or stalk within its definition?

QUESTIONS #9:

- How can a major media news organization report on March 23, 2018 (now reporting 4 years and counting) *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") and *"haunting women"* and then in Feb. 11, 2019 *"Man Accused of Harassing Women"* when in all fact this person (Pro Se James Lawrence) with no criminal history (in reference to the subject matter) was arrested for a single count of Second Degree Breach of Peace involving one woman WHO herself never is quoted with this word harass nor are there any woman of the past **documented as using or accusing** with this harass terminology?

QUESTIONS #10:

- How can someone be reported upon when no complainant ever came forward to have a long gone "case" re-investigated or coming forward with new evidence with willingness to give a sworn written statement on this new evidence?

QUESTIONS #11:

- Given the evidence presented to the Second Circuit Court of Appeals should not this case be granted a potential jury trial so to have a middle course in between resolution that discourages any other media organization in the future to parrot the unproven and unprovable *"harassment"* narrative to which Hearst caused and persistently stands by (veritable harassing behavior) for 4 years and counting?

QUESTIONS #12:

- In today's highly politized culture and gender warring zeitgeist is not the evasive Decision from New York's Second Circuit Court of Appeals in James Lawrence v. Hearst not raising highbrows as to not allowing for a trial and let a diverse body of everyday people to help define the term stalk and harass and how these terms should be deployed by media and how these terms resonate in what Judge Stefan Underhill phrased in James Lawrence v. Altice *"the minds of the average viewer"*?

QUESTIONS #13:
- Can a court conflate let alone equate the behavior of a One Count charge of the statute Second Degree Breach of Peace with the statute of Third Degree Stalking let alone apply it to past investigations of closed cases devoid of any kind of arrest?

QUESTIONS #14:
- Can a court conflate let alone equate the behavior of a One Count charge of the statute Second Degree Breach of Peace with the any Harassment statute let alone apply it to past investigations of closed cases devoid of any kind of arrest?

QUESTIONS #15:
- Can a court conflate let alone equate the behavior of a One Count charge of the statute Second Degree Breach of Peace with any KNOWN past incident report that involved a full investigation resulting in no Probable Cause for any kind of arrest cases long closed and never reopened?

QUESTIONS #16:
- Since there has been no reading of past Incident reports, no Sworn Written Statements, and never any prior arrests for anything written about in the Warrant aka list of past incidents narrative, can anyone ever know in any way let alone a legal spin *"substantial"* way what was the ***"totality of Lawrence's conduct"***?

QUESTIONS #17:
- Since Hearst refused to take down their unproven and unprovable coverage after the Deposition of the Warrant writing officer free of any legal action by me James Lawrence should not a jury of our peers sort out this issue of very questionable motivations and persistence aka harassment by Hearst?

QUESTIONS #18:
- What is the *"average reader's"* understanding of the terms "stalk" or "harass" let *alone "Arrested for Stalking or Harassing Women for Years"*, *"POLICE: Man Harassed Women For Years"* (not even written to be "alleged") and *"haunting women"* and *"Man Accused of Harassing Women"* devoid of any quoted person accusing?

QUESTIONS #19:
- If a news organization is to report and reference a past closed case or call of concern to police that resulted in a full investigation and NO arrest as stalking or harassing should there not be a quote from the police that there was stalking or harassing?

QUESTIONS #20:
- If a news organization is to report and reference a past closed case or call of concern to police that resulted in a full investigation and NO arrest as stalking or

harassing should there not be a quote from the news organization from **some named or quoted woman** deploying these terms of stalking or harassing?

QUESTIONS #21:
- How is the accusation of, let alone arrest of, or let alone crime of stalking or harassment different from other crimes reported upon?

QUESTIONS #22:
- Is the news headline "Man Arrested for one count of Second Degree Breach of Peace for following a woman in a market" *"substantially"* different than *"Man Arrested for Stalking or Harassing Several Women"*?

QUESTIONS #23:
- What is (as the Warrant states) *"follow"* and *"get into personal space"* (a now newly coined popular phrase) and is it not different "violation of personal space"(another now newly coined popular phrase)?

QUESTIONS #24:
- Are not violations of verbal well documented warnings typical when talking about "harassing" **in a non-violent way**?

QUESTIONS #25:
- Are we living in a very freakishly aggressive and increasingly unjust Guilt by Accusation culture/zeitgeist aka guilty until proven innocent that is not affording people proper Due Process of Law let alone Due Process after Law (respect for already completed legal processes - i.e in the form of past investigations of alleged Incident Reports) and are we prepared to begin to do something about this ever-growing problem?

QUESTIONS #26:
- Are not alleged past "incidents" that became complaints/calls of concern to police and then are investigated resulting in no arrest more conclusive than the current insane zeitgeist of women being allowed to come forward to point the finger by deploying the media devoid of any kind of police investigation?

QUESTIONS #27:
- Since there is no name that came forward in relation to the one count of Second Degree Breach of Peace arrest, and no names at all from any alleged past Incident Report that ever came forward let alone pressed charges aka the Incident Reports that were deemed not criminal NOT "HARASSSING" aka no arrest cases investigated and long closed, how can any reference to these Incident Reports be taken into account at all other than past complaints/calls of concern of a single act of UNINTENEDED *"getting into personal space"*?

QUESTIONS #28:

- Are we going to continue to allow these obvious persecutions of accusing men of non-criminal behavior in ways that not only insinuate some kind of criminality but that slanderously results in reports of criminal BEHAVIOR that jumps levels beyond either any guiltless police investigatory conclusions of anything at issue or even beyond an actual arrest (like my arrest of one count of Second Degree Breach of Peace)?

QUESTIONS #29:

- Does the Second Circuit Court of Appeals accurately define the dictionary terms stalking, stealth, and harassing and can it be done in a less than a page double-spaced quote from a Decision?

QUESTIONS #30:

- Can the necessary definition of persistence within the term and statute stalk and certainly term harass – be applied to lump sum of KNOWN completed guiltless "cases" of formerly alleged yet never proven hence unprovable acts given statute of limitations with no Sworn Written Statements, or as Second Circuit Court opines *"totality of Lawrence's conduct"*?

QUESTIONS #31:

- Is a past police Incident Report devoid of any Probable Cause for any type of arrest that describes/labels/codifies the Incident Report as a [redacted] any kind of proper evidence of past harassment?

- Can a sum of past concerns of a [redacted] devoid of any police action after investigation be evidence of let alone described as any kind of persistent behavior in tune with provable harassment definitions?

QUESTIONS #32:

- Are we allowed to report on the KNOWN unprovable in an accusatory way especially when claiming *"Police": ...* as the source?

QUESTIONS #33:

-- How can the media report on a Warrant narrative of someone alleged to have *"fears to a give statement out of fear of retaliation"* when you have no name or sworn written statement or arrest of any kind aka evidence about an incident?

QUESTIONS #34:

- Can we not apply the very loose opinion of the Second Circuit Court of Appeal Decision in James Lawrence v. Altice - *"Lawrence's totality of conduct"* to anyone who has had previous adverse feelings directed at them about alleged conduct that resulted in no harms, no damages, no pressing of charges, and no Probable Cause for any type of arrest?

QUESTIONS #35:

- If a reporter is to choose their own personal wording when interpreting a Warrant should not this reporter be obligated to further investigate the ascertainable fabric of the Warrant – the previous Incident Reports (via FOIA) – so to prove his/her own subjective wording?

- AND should not the media company employing the reporter attempt to do remedial efforts after learning of the reporter's negligence especially knowing of the negligence "for years"?

QUESTIONS #36:

- How can anyone effectively defend against 24/7 articles that falsely makes "Police" their source of harassment accusations? Is this not far more damaging coverage than a subjective named woman making an accusation via the media with an awaited investigation to reveal more details?

LIST OF PARTIES

[X] All parties appear in the caption of the case on the cover page.

RELATAED CASES

Only partially related to
James Lawrence v. Altice

TABLE OF CONTENTS:

Index to Appendices

A - Decision of Connecticut District Court Judge
B - Decision of Second Circuit Court of Appeals

Additional Deemed Significant:
C - FBI Criminal Background Check at Time of Reporting
D - Deposition of Warrant Writing Officer James Sullivan Regarding Warrant Narrative in Question

TABLE OF AUTHORITIES CITED:

Summary Judgment by Connecticut District Judge Michael P. Shea from the was NOT based on any solid statutes or case precedents. Judge Shea simply conflates the questionable and flawed reasoning from the Second Circuit Court of Appeal's Decision in James Lawrence v. Altice which itself attempts to establish its own judicial activist special authority on James Lawrence the individual free of any proper evidence - past prior arrest, past named complainants deploying the words stalk or harass, AND completely at odds with the Deposition of the arresting officer (See Appendices). The Second Circuit Court of Appeals in their March 28, 2022 only 7-paged doubled Spaced Decision also avoided the obvious new issues presented to them in James Lawrence v. Hearst. The Second Circuit Court of Appeal also did not entertain any obvious differences between James Lawrence v. Altice and James Lawrence v. Hearst. They also continue to avoid the special and demanding issues these cases present due to the nascent, raw, and extreme MeToo, Times Up, and Nasty Woman movements and the perfect storm that happened when coupled with the Internet Age.

My research and Summary Decisions clearly show there are NO PRECEDENTS as to the following issues:

-The issue of media deploying Course of Conduct legal terms stalking or harassing to a non-stalking or non-harassing arrest let alone to any arrest at all.

-The issue of media deploying Course of Conduct legal terms stalking or harassing to past investigations resulting in no Probable Cause for any type of arrest cases long closed.

-The issue of a court comparing let alone conflating the Connecticut Law of Second Degree Breach of Peace to Connecticut Law Third Degree Stalking.

-The issue of media and courts referring to long past Police Incident Reports devoid of any Probable Cause for any type of arrest as stalking or harassing. YES –media being allowed to refer to alleged past concern of *"getting into personal space"* KNOWN by the media to NEVER result in any police action as stalking or harassing!!!!

-The issue of conflating the phrase *"get into personal space"* with harassment or harassing behavior.

-The issue of when a particular flirt becomes a harassing behavior.

- The issue of conflating a few unproven and unprovable past complaints to a generalized stalking or harassing behavior or as the Second Circuit Court of Appeals wrote *"totality of Lawrence's conduct".*

CITATIONS OF OFFICIAL AND UNOFFICIAL REPORTS OF OPINIONS AND ORDERS

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

For cases from federal courts:

The opinion of the United States Court of Appeals appears at **Appendix B** of the petition and is
[X] reported/mandated **April 25, 2022**

The opinion of the United States District Court appears at **Appendix A** of the petition and is
[X] reported at **March 12, 2021**

STATEMENT OF THE BASIS OF JURISDICTION

The date on which the United States Court of Appeals decided my case was **March 28, 2022.**

A petition for rehearing was not filed in the United States Court of Appeals for reasons of being incapacitated.

CONSTITUTIONARY AND STATUTORY PROVISIONS INVOLVED

The Constitutional provisions involved is the First Amendment.

NOTE REGARDING HOW I PRESENT THE STATAEMENT OF THE CASE, REASONS FOR GRANTING THE CASE, AND CONCLUSION

[I color code behaviors as I have in previous Briefs.

RED is referring to stalking and/or harassing charges, evidence, or accusatory words.
ORANGE is referring to the crime of Ct. Second Degree Breach of Peace and the issues of "violating personal space".
YELLOW is referring to issues/levels of "getting into personal space" and infractions.
BLUE is referring to any case/investigation that results in no Probable Cause for arrest and no criminal charges.

STATEMENT OF THE CASE:

On March 5, 2018, I James Lawrence was called by Officer James Sullivan of the Westport Ct. Police Department to turn myself in for an alleged ONE count of Second Degree Breach of Peace incident for allegedly *"following and getting into personal space"* at a Westport supermarket on Nov. 5, 2017. Yes 5 months earlier. The arrest has no named complainant, no Sworn Written Statement, no proper evidence in the forms of video cams, etc... and thus after two years of court runs was settled in a non-criminal way by paying a $90 Infraction fee on the eve of Covid induced court lockdowns/delays, maintaining my clean Connecticut Criminal Record. I wanted a trial, but prosecution refused me a trial having no evidence let alone witness as Warrant shows – NO Sworn Written Statement from an accuser. Two years into the false arrest I needed a Final Disposition in the criminal matter so to pursue civil cases against 2 media companies for extreme treatment - aka James Lawrence v. Altice and then James Lawrence v. Hearst Communications.

Back at the time of the arrest in March of 2018 things became hyped to extremes because of Altice/News 12 and then Hearst/Westport News seizing the Arrest Warrant and doing special secondary articles/hit pieces about the arrest with their own wording that deviated not only from the Warrant narrative but also the Official Police Press Release. A 58-year-old married woman named Wendy Higgins Chambers read about me in Westport News/Hearst Article #1 and made a beeline to a News 12 Ct./Altice reporter who seized the Arrest Warrant and proceeded to report that I was *"Arrested for Stalking Several Women"* around Westport supermarkets. A call from my lawyer to Altice/News 12 Ct. and they took down their coverage after 1 day admitting they got the arrest wrong let alone any fair and accurate interpretation of the Warrant narrative about KNOWN past "cases" that resulted in no arrest of any kind after investigation.

Which brings me to Hearst/Westport News – defendant in the case at hand. After 58-year-old Wendy Higgins Chambers saw Altice/News 12 Ct. take down their material after 1 day, she approached Hearst Communication's reporter Sophie Cecilia Vaughan who herself concocted another special secondary article about the arrest by attempting to interpret the Arrest Warrant deploying the words *"harass" and "haunt"* along with piling on an arrest record without informing the public of my conviction record. In this Westport News **Article #2** entitled *"Police: Man Harassed Women for Years"*, **Wendy Higgins Chambers is the only woman named and quoted and not even this sole woman Wendy Higgins Chambers deploys the very loaded and Course of Conduct language of "harass"** let lone "stalk". AND the Westport Police made no Incident Report of her story. She saw the earlier News 12 story removed and then went to the police who documented nothing and took no action. She then went to Hearst/Westport News and they continued the extreme media persecution.

An attempted call and resulting Email exchange with first former Westport News editor Jarrod Ferrari (now working in luxury real estate) and then Hearst legal Stephan Yuhan produced no results for fair and balanced interpretations of the seized Warrant. Hearst refused to take down their unproven and unprovable nameless, quoteless (alleged victim/accuser), and extremely damaging coverage and this March 23, 2018 Article #2 (unlike Altice/News 12's 1-day coverage) has existed for 4+ years and counting.

On Feb. 6, 2019, after leaving the country in July of 2018 so to feel safe from the Hearst persecution, I was arrested again when I returned to the USA for (as Official Police Press Release states) a non-threatening Second Degree Email Harassment for a solitary Sept. 18, 2018 Email to a tenant that reads *"Anna advice: Do not cause my beloved 77 year old parents any stress whatsoever. Take this advice."* **This 2019 arrest is the** ONLY HARASSMENT ARREST. This arrest happened from an Arrest Warrant submitted by a different officer in October of 2018 while I moved far away from the area. Hearst's same reporter from the March 23, 2018 Article #2 parroted her **self-chosen harassment words** of unproven and unprovable nameless, quoteless, phantom "accusers of harassment" by reporting on February 11, 2019 Article #3 with the headline *"Man Accused of Harassing Women* (plural) *Arrested Again"* – a first and only arrest for Harassment. The reporter also again piled on an arrest record contrary to the Warrant without informing the public of my conviction record despite now having a year to verify my conviction record with ample resources (including my website on the fiasco - www.WestportJamesLawrenceNOTGuilty.com to read my official FBI Criminal Background Check conviction record.

It is also important to point out that Article #3 used the word *"allegedly harrassed"* within the article while Article #2 never deployed this allege term thus showing the 22-year-old feminist reporter had made prior mistakes in Article #2. This fact is yet again another detail that the Second Circuit Court of Appeal NEVER addresses in their 7 double spaced page Decision. Hearst has NEVER cleaned up any of the sloppy errors that resulted in the life changing defamation.

In February of 2020, I James Lawrence Pro Se brought a libel case against Hearst/Westport News. After a year of sharing arguments and evidence via Responses and Replies, the case was ready for Connecticut Judge Michael P. Shea to rule on a Summary Judgment in March of 2021. Prior to the Summary Judgment and prior to the February 22, 2021 Deposition of the first Warrant writing Officer James Sullivan (See Appendix), I offered to drop the case against Hearst free of paying any Damages if they took down their unproven and unprovable articles for they too had participated in the Deposition. The ensuing Deposition of the Warrant writing officer verified not only that this officer never charged me with harassment, never used the term "harass" in the Warrant, but also never thought of using the term harass in the Warrant (See Appendix).

After the February 22, 2021 Deposition of Officer James Sullivan, Hearst was given a Third Offer to do the right thing (to which took Altice/News 12 only 1 day to figure out back in March of 2018) and take down their unproven and unprovable material free of paying any Damages. Hearst for a third time refused to take down their unproven and unprovable material. Why? Even after learning through the Deposition that the actual Warrant writing officer was not agreeing with their interpretation of the Warrant, but also learning of some undeniable police misconduct, let alone knowing all the details presented from 2 cases, etc..., Hearst still refused to accept my very generous offer and part ways amicably. Why the persistence? The real veritable 4+ year course of conduct harassment comes from Hearst.

There can be no better witness – the actual Warrant writing officer verifying there was NO harassment - EVER. The officer also confirmed that there were NEVER any *"threats"* for he confirmed not only are there no documents from any Incident Report from my past that resulted in no arrest case long closed showing past threats but that the 2018 arrest was based on section #6 of the Connecticut Second Degree Breach of Peace statute leaving absolutely no room for conflating this ONE count of Second Degree Breach of Peace with any more serious Course of Conduct crime like Harassment or Stalking or Threatening – a very significant fact revealed to the Second Circuit Court of Appeal in James Lawrence v Altice around the same time March of 2021 only to have a Petition for Rehearing denied. I ask this fact to now FINALLY be properly processed.

Connecticut District Judge Michael P. Shea rested a majority of his March 11, 2021 Summary Judgment of James Lawrence v. Hearst on the previous James Lawrence v. Altice case without addressing any details on how the cases are different. I was man put through undeniably *"unfair" and "outright false"* treatment as verified from Connecticut District Judge Stefan Underhill in his ruling on Altice's Motion to Dismiss in the earlier stages of James Lawrence v. Altice. Yet mysteriously this Connecticut Judge Underhill outrageously later ruled in his Summary Judgment that:

> ***Judge Underhill: "The headlines (Police: Westport Man Charged for Stalking Several Women) are not defamatory because the average person reading the (News 12) Articles would not have been affected differently if the headlines read, for instance, "Police: Westport man charged with breach of peace for following woman. Thus, the headlines are substantially true."*** **ECF 66 Page 20**

That opinion undeniably defies common sense. How does a judge write such nonsense? Maybe Altice got a break from this Judge Underhill for removing their coverage after 1 day. Who knows? Mind boggling and frustrating to say the least.

Hearst Communications on the other hand has not relented for 4+ years. I am now a 56-year-old man 4+ years into this fiasco fighting a 24/7 unprovable extreme

Hearst and only Hearst narrative that to this day wreaks havoc on my life from many angles. Extreme coverage is a cornerstone of any defamation case. Media coverage that refuses to name or quote any woman or even third party whatsoever while deploying the loaded term "harass" let alone contradicting the Warrant writing officer is undoubtedly extreme and belongs in front of a jury of our peers given all the unresolved issues of labelling me with a behavior free of proper evidence.

In 2021-2022 I asked the Second Circuit Court of Appeals to fairly process all my arguments and be prepared to address how this case of James Lawrence v. Hearst is significantly different that James Lawrence v. Altice. The Second Circuit Court of Appeals came back with a 7-page double-spaced Decision that avoided nearly all the arguments made in Brief and A-Z Exhibits. I ask that this Brief and Exhibits are read and addressed properly. This case belongs in front of the US Supreme Court to which **I am prepared (given the US Supreme Court Rules) to have lawyers argue the case.**

REASON FOR GRANTING THE CASE

HEARST/WESTPORT NEWS REPORTING
Article'#1 March 11, 2018
"Westport Man Allegedly Followed Woman Around" (a market)
then
Article #2 March 23, 2018
"Police: Man Harassed Women for Years" and
"haunted women"
and then-
Article #3 February 11, 2019
"Man Accused of Harassing Women Arrested Again"
as
NOT being *"substantially true"*.

INTRODUCTORY QUESTION:

- Can a media organization repeatedly dox past arrests insinuating conviction without clarifying if the arrest ever became a conviction? Meaning at what point is the same reporter obligated to do further research or ascertain an Official Criminal Background Check aka Final Dispositions or report the already KNOWN conviction records?

The following quote from the March 5, 2018 Police Warrant was parroted in the March 23, 2018 news article and then again parroted 1 year later after knowing the Final Dispositions of what they originally parroted.

Section 12 of Warrant for March 2018 Arrest for One Count of Second Degree Breach of Peace:

12. That on December 12, 2017 a Criminal History was performed for James Lawrence, dob 12/15/1965. It was learned that he does not have a Connecticut History but he did have an Arrest Record in the states of Florida and California. In Florida he had charges of Resisting Arrest and Fleeing/Eluding Police. In California he was charged with Petty Theft, Theft of Personal Property, Stalking, Inflicting Corporal Injury to Spouse and Battery of Spouse.

The known facts (See Appendix) are that I was NOT convicted of the 1987 Fleeing/Eluding Police and NOT convicted of the 1994 Petty Theft or Theft of Personal Property, NOT convicted of the 1995 Stalking Charge, and NOT convicted of the 2013 Inflicting Corporal Injury to Spouse charge to which the D.A. did not even pursue charges. I was only convicted of a 1995 Battery of Spouse charge.

The March 23, 2018 Article #2 parroted the Warrant in ways that insinuated convictions and left the reader to imagine what they wanted. A proper journalist would have spent time finding out more information like interviewing the officer or doing a Criminal Background Check. What is at issue is A YEAR LATER the Feb. 11, 2019 Article #3 REPEATED the same Article #2 narrative KNOWING of other

articles and/or resources to properly complete the revelation/doxxing of the arrests. Article #3 again insinuated convictions for the article left/leaves the reader to imagine what they wanted/want.

The Feb. 11, 2019 Article #3 was covering an arrest that not only again had an Official Police Press Release that did not dox these past arrests, but also had a Warrant that toned down the doxing of past arrests unlike the previous 2018 Warrant for Article #2. The Warrant for 2019 arrest has NO mentioning of a past stalking arrest that resulted in no conviction.

Section 20 of Warrant for Feb. 2019 Arrest for One Count of Second Degree Email Harassment:

20. That I conducted a criminal history check for the accused which revealed his arrest by Officer Sullivan on 03/05/2018 for Breach of Peace. In addition, the accused has an arrest record in the state of Florida dating back to 1986 and in California dating back to 1994. Prior to his arrest by Officer Sullivan, the accused was most recently arrested on 10/31/2013 for "BAT: SPOUSE/EX SP/DATE/ETC". NO DOXXING

Somehow the first Warrant was not properly redacted (by clerk of court) for it violated Westport Police redaction polices. The police obviously saw me persecuted by the media via Altice/News 12 for "Stalking" and then Hearst/Westport News for "Harassing" from the 2018 Arrest Warrant and felt they could be held responsible for the extreme coverage so made extra efforts to make sure this past 1995 conviction-free stalking arrest was not doxxed so people like the inexperienced 22-year-old Hearst journalist could not pursue her Nasty Woman opportunist agenda and blind persecution.

HEARST LEAGAL has KNOWN this for 4+ years from correspondences. The REPORTER SOPHIE C. VAUGHAN KNEW of Altice/News 12 taking down their coverage of me after 1 day back in March of 2018, and certainly KNEW in 2019 when writing Article #3 that I was not ever convicted of the stalking charge. She had resources let alone the Warrant of the 2019 arrest she is covering at her disposal but chose to continue to muddy the waters with incomplete information insinuating the worst and allowing the reader aka *"average reader"* to imagine what they wanted.

Another reason for granting the case are the issues around the March 5, 2018 Warrant that caused all the hype and slander - the use of the word "harass". If we are to allow journalists to seize Warrants about an arrest are not journalists obliged to parrot the actual wording of the Warrant of the arrest they are covering and NOT inject their own wording especially when their wording are actual laws that the person being reported upon was not arrested for?

SECTION 11 NARRATIVE FROM THE ARREST WARRANT FOR THE MARCH 5, 2018 ARREST IS THE MAIN ISSUE AT HAND.

Section 11 of Arrest Warrant:

11. That in checking this departments case history with Lawrence, I learned that there were 10 case incidents logged from 2002 till present. In all of these complaints Lawrence was seen following the complainants around a store or coffee shop and then following them out to their cars where he would either stare at them or get right into their personal space. In most of these cases, Lawrence was told that his actions scared the complainants to the point of them calling the police. He has even stated himself that he needed to rethink his approach with woman. That

Notice that the Warrant writing officer did NOT deploy the stalking or harassing terminology for the one count of Second Degree Breach of Peace. He wrote *"follow and stare or get right into their personal space"*. It is time a proper Court to address why he chose these words for non-criminal incidents for there was no Course of Conduct behavior typical with stalking and harassing. What is outrageous is that the Second Circuit Court of Appeals is conflating a vague detail-less list on non-criminal incidents into Course of Conduct harassing behavior as opposed to providing necessary details of each incident.

Once again, is it appropriate for the Second Circuit Court of Appeals to come up with their own conclusions of past Incident Reports long past been deemed non-criminal by conflating every Incident Report as some kind of stalking or harassing behavior? Keep in mind they are doing this devoid of police investigations claiming this stalking or harassment, and devoid of any woman claiming stalking or harassment by being quoted in an Incident Report, and where any woman NEVER (as Hearst/Westport News writes) **"accuses"** me of stalking or harassing.

The simple phrase/broad brush generalization from the Second Circuit Court of Appeal *"totality of Lawrence's conduct"* is one of many controversial opinions, for equating any let alone "all" long past run ins with someone (that resulted in NO police action/arrest) as "harassing" is not fair. The substance of the Warrant in question is completely **devoid of any proper evidence to choose one's own words - words that are actual laws to which I was not arrested for.** Simple common sense logic dictates that each past call to police that resulted in no police action other than providing a warning - obviously **have their own particular circumstances** that the Warrant never ever delves into, a Warrant once again that NEVER uses the stalk or harass terminology let alone show any kind of past arrest for anything related to the subject matter like stalking or harassing – actual names of criminal statutes. Media should never be empowered to choose their own wording of an Arrest Warrant (let alone own crimes) especially loaded weapon words like stalk or harass.

Another important issue to be taken up is how this now popular phrase *"afraid to give statements out of fear of retaliation"* is to be reported upon. Should a media be allowed to come to their own conclusions devoid of Sworn Written Statements? Many times, this phrase is deployed by complainant so to hide an agenda. Any

which way media AND COURTS should not be allowed to come to their own conclusions without trials for in the end there is no proper evidence. Regarding the 2018 Arrest Warrant, I have proof via Officer Sullivan's Deposition (See Appendix) that this *"afraid to give statements out of fear of retaliation"* phrase was deployed in the Warrant devoid of any complainant using it. Defendant Hearst has known too of this DETAIL since the Feb. 22, 2021 Deposition yet has still not removed their articles in the spirit of fairness. Why?

Why such a determination by Hearst to use anything they can to ruin me? I have been a writer for some time and have always suspected being targeted for my socio-political beliefs. We all know the crazy times we live in now and how people are persecuted from political organizations like media and yes sadly now also courts via prosecutors and even judges. I a near powerless Pro Se Defendant up against a billion-dollar company (whose CEO is the Chair of the Associated Press) painfully learning that even our courts will not afford fairness in the form of a trial. Anyone who thinks that a 7-page double space Decision is anywhere near the truth about me, my 56 years alive, and the 2018-2022 ordeal is not qualified to be a judge.

CONCLUSIONS

People's lives are utterly being destroyed by allowing this Guilt by Accusation and Guilty Until Proven Innocent culture. Media should not be allowed to use their own wording when interpreting an Arrest Warrant. Media should not be deploying accusatory words without actual accusers. Media should not be allowed to persistently dox an arrest record devoid of known conviction records. Media should be willing to retract news from the Internet after a Deposition of the Warrant writing Officer contradicts the wording they deploy. *"Substantial truth"* spins should not be allowing media and courts to conflate dictionary definitions of words let alone laws.

Maybe I lost this case due to prejudice against people who are forced to represent themselves aka Pro Se. This should not be. But having been Pro Se in a criminal case and Pro Se in 3 civil cases I honestly can attest to is (as attorneys had warned me) that courts are prejudiced against Pro Se council. This should not be for why even offer people this Pro Se option. If I was to seek an attorney to cover all the resulting cases from the extreme media coverage of this misdemeanor arrest (to which I was never convicted) namely the civil cases against the media and the now inevitable case against the police, I would have been paying well over $100,000. I did not have this money. AND due to the 4+ years and counting slander from Hearst, I will never be able to make this type of money let alone have a family of my own.

All I ask for is fairness. It does not take a genius to recognize the importance of this case within the current MeToo zeitgeist. My arrest/case at issue had nothing to do with sex harassment or any kind of harassment but will now be forever conflated with this behavior. I am a man who has met numerous women at public places like markets over my nearly 60 years alive, and there are NO woman or women claiming I harassed them. NONE. And the Warrant writing officer himself NEVER used this harass terminology. In fact, the Warrant writing officer came to my defense in his Deposition related to James Lawrence v. Hearst located at Appendix.

The Second Circuit Court of Appeal's Decision was 7 pages double-spaced and avoided nearly all details from my Brief and A-Z Exhibits. The Second Circuit is commonly known to virtue signal toward a Democratic base - like feminist causes which seek to preserve the insanely unfair practice of women deploying the media with life damaging accusations devoid of proper police investigations or results of such investigations. What happened to me is even more outrageous - a media organization empowered to personally claim I harassed women devoid of any actual women coming forward and claiming harassment. Sickening to say the least. What has become of this country? Is this just a freak opinion from a known woman's state?

My case had nothing to do with MeToo but got conflated in the MeToo whirlwind zeitgeist. It is time a Court grant me a trial and force defendant Hearst Communications to field actual women or names who THEY AND ONLY THEY claim I harassed at a market/public place or as the Warrant in question states *"followed and got into personal space"*. It is time a Court allow me a trial so to put the Warrant writing officer on the stand to testify how he not only NEVER used the dangerous many connotations term harassment in his Warrant but as he says in his Deposition ***"never thought of using this term"***. The issues presented here belong in front of a jury of everyday people so to distinguish between non-harassing flirting/ encounters and actual harassing flirting/encounters. I am 4+ years into attempting to save my name so to have a future and denial of a trial is a huge injustice.