No. **15-7095**

IN THE SUPREME COURT OF THE UNITED STATES

CURTIS J. NEELEY JR. — AMICUS~INTERVENOR,

JOSEPH M. BECK, M.D., President of the Arkansas State Medical Board, and his successors in office, in their official capacities, ET AL.

Appellants

vs

LOUIS JERRY EDWARDS, M.D., on behalf of himself and his patients, ET AL.

Appellees

ON PETITION FOR A WRIT OF CERTIORARI TO THE EIGHTH CIRCUIT COURT OF APPEALS

PETITION SEEKING WRIT OF CERTIORARI

CURTIS J. NEELEY JR.
380 W. 13TH ST
NEWARK, AR 72562
479-263-4795

QUESTION(S) PRESENTED

1. Is it acceptable to treat the "*viability*" variable as the linchpin of the *Roe v Wade* decision and use this outmoded description to invalidate the protection of human dignity given for the fetus by millions of concerned Arkansas voters supporting Act 301 to preserve their conscience?

2. Will the failure of the Eighth Circuit panel to address the concerns of any Arkansas voters respecting human dignity, like Curtis J Neeley Jr., be allowed or will this petitioner be allowed to join the petitioners in *Beck v Edwards,* (15-448) as a companion case or *pro se* party addressing human dignity because dignity was left out of the petition filed already?

3. Will this petition seeking certiorari due to improper denial of a Motion to Intervene impact Supreme Court personnel examining *Beck v Edwards,* (15-448) and the other abortion of gestation cases like an ideal Amicus Brief might and help the clerks and justices see *Beck v Edwards,* (15-448) as better than other gestation regulation questions before this Court, including *Roe,* and augment the honorable beginning for limitations on gestation regulation by finally addressing human dignity of both the female and new human fetus growing within her?

4. Will the Supreme Court allow a wholly unique *pro se* mind, like this petitioner has, to file this amicus brief before this Court supporting a State law the *pro se* party voted for in *Beck v Edwards,* (15-448) after the law was challenged "*speculatively*" and attacked by corporate "*abortion-mill*" interests due to coming from an unrepresented voter's perspective recognizing elective abortion of gestation as the same natural human right existing for all of history despite medical science now making this a safe and private personal choice to exercise, whether gestation has begun or has not for the last eleven weeks, removing elective abortion of gestation from public consideration and returning this choice to the most private of choices made by females to honor free-will and human dignity without allowing the dignity given to the human fetus by most people from being ignored.

LIST OF PARTIES

[X] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Appellants not listed,

Every Arkansas voter who supported Act 301, and as follows:

PARTIES TO THE PROCEEDING

Petitioners: Joseph M. Beck II, M.D., Chairperson of the Arkansas State Medical Board, and his successors in office, in their official capacity; Omar Atiq, M.D., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Steven L. Cathey, M.D., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Jim Citty, M.D., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Bob Cogburn, M.D., officer and member of the Arkansas State Medical Board, and his successors in office, in their official capacity; William F. Dudding, M.D., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Verly Hodges, D.O., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Scott Pace, Pharm. D., J.D., officer and member of the Arkansas State Medical Board, and his successors in office, in their official capacity; John H. Scribner, M.D., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; John Weiss, M.D., member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Robert Breving Jr., M.D.,* member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Rodney Griffin, M.D.,* member of the Arkansas State Medical Board, and his successors in office, in their official capacity; Larry D. Lovell,* member of the Arkansas State Medical Board, and his successors in office, in their official capacity; William L. Rutledge, M.D.,* member of the Arkansas State Medical Board, and his successors in office, in their official capacity. Petitioners were the defendants in the District Court and the appellants in the Court of Appeals.

* Modified to substitute the successor to the public office, named in his or her official capacity only, in the case below.

Respondents: Louis Jerry Edwards, M.D., on behalf of himself and his patients; Tom Tvedten, M.D., on behalf of himself and his patients. Respondents were the plaintiffs in the District Court and the Appellees in the Court of Appeals.

TABLE OF CONTENTS

INDEX TO APPENDICES

TABLE OF AUTHORITIES

United States Appellate Courts

United States Supreme Court

Bible

New International Version: For the time will come when you will say, 'Blessed are the childless women, the wombs that never bore and the breasts that never nursed!' biblehub.com/luke/23-29.htm

Universal Declaration of Human Rights

Blackstone's Commentaries on the Laws of England

---

[*] The unnamed actor hired to do "*Dessert Warrior*" had individual **dignity** assaulted by Google Inc. displaying a wildly unauthorized use of vocal performances worldwide after told this use and interception of communications had caused a *fatwa* and death threats from many Muslims. The Ninth Circuit Court of Appeals proved dishonorable by allowing this crime to continue instead of *sua sponte* ruling this an 18 USC §2511 violation or recognizing the *Wheaton v Peters,* 33 U.S. 591 1834 mistake required defamation, slander, libel, and other U.S. torts to vicariously defend personal **dignity** from unauthorized use of communications though often inadequate and negatively impacting U.S. culture. This petitioner will not use this actor's name herein not the name of the "*film*" that remains unpublished.

OPINIONS BELOW

The Motion to Intervene seeking en banc consideration was denied by the Eighth Circuit (App. IDDM). The denial of a rehearing by the United States Court of Appeals for the Eighth Circuit (App. ebRHD). The opinion of the United States District Court for the Eastern District of Arkansas is reported at 8 F. Supp. 3d 1091. The preliminary injunction of the District Court is reported at 946 F. Supp. 2D 843.

JURISDICTION

The judgment of the United States Court of Appeals for the Eighth Circuit was entered on June 18, 2015. The Court of Appeals denied rehearing the affirming of an error on July 9, 2015. An application for an extension of time to file until November 16, 2015 was granted on September 16, 2015 by Honorable Justice Alito in:
Curtis J. Neeley, Jr., Applicant v. Louis Jerry Edwards, et al.(15A368).

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

———♦———

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Constitution, Fourteenth Amendment, § 1 states:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

U.S. Constitution, Ninth Amendment, states:

> The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Arkansas Statutes:

> The relevant statutory provisions from Arkansas are reprinted in the appendix to this petition. App. (Act 301 App)

STATEMENT OF THE CASE

Arkansas voters assert human **dignity** begins with detectable heartbeats or the same test normally given to detect life because new fetal individuals have their own circulation system by 12-weeks. The Supreme Court attached human rights after "*viability*", but should now recognize the Ninth Amendment right to give individual **dignity** to new individual with their own heartbeat and bloodstream though still fed from the mother via the placenta and not able to live outside the uterus.

"*America*" does not yet recognize the need to protect human **dignity** because Noah Webster created the "*American English*" dialect in 1790 by fiat. The existing British right to protect individual **dignity** was ignored and old British law from 1710 was copied without the 1735 and 1766 updates. These rights were later included in the UDHR. *See* App. UDHR.

Human **dignity** is usually respected by most when humans are in comas, are on life support, are unresponsive, or are otherwise unable to exist alone. Human **dignity** warrants protection by honorable humans from the first individual heartbeat until the last. A fetus lacking complete "*viability*" as described by this Court should not result in the United States continuing to disrespect the **dignity** of individual unborn humans despite being protected for humans by the Ninth Amendment.

The right to respect individual human **dignity** would have sustained the *Roe v Wade* ruling far better forty-plus years ago and would continue to this date without as much challenge due to solid Pro-life interests in free-will and the right to privacy.

In 1973, human knowledge did not include the unborn individual differentiating wholly from the female after 12-weeks, when the placenta was complete. Protection of the Ninth Amendment right to maintain individual human **dignity** sustains artificial abortion of gestation better than the "*right to privately choose*", which still exists "*for a time*" but only when preserving the greater of human **dignity**, allowed already by Arkansas Act 301.

The *"viability"* rule once had constitutional grounding. Times have changed and advances in medical technology and care related to pregnancy and childbirth now demonstrate the *"viability* rule is outdated and unnecessary to protect the right to end pregnancy via elective abortion of gestation until another individual fetal life exists. e.g. 12-weeks.

Balancing the protection of human **dignity** more conscientiously can and should now be done, as Act 301 does. Human **dignity** can be accomplished respecting both the **dignity** of the living unborn human fetus with a detectable heartbeat needing protection at 12-weeks and the **dignity** of the pregnant human, allowed by Act 301 to be utterly absolute for the first 11-weeks of gestation.

The vast majority of abortions of gestation are performed in the first trimester of pregnancy when safer for the health and **dignity** of the pregnant woman (though too many are still done later). *Gonzales*, 550 U.S. at 134, "Between 85 and 90 percent of the approximately 1.3 million abortions performed each year in the United States take place in the first three months of pregnancy". (.10=130,000 & .15=195,000)

The goal would need to not be 85-90% but 99.99615% to make deaths from lightning strikes in the United States as likely as abortions of gestation done without respecting the **dignity** of the human species as a whole.

Advances in medical technology made abortions of gestation more accessible and safer while revealing a living fetus generally has a detectable heartbeat by the end of the first trimester when the fetus is a wholly new individual. Much has been learned about the development of new lives since *Roe*. The early presence of individual circulatory differentiation is a singularly profound realization. The presence of a fetal heartbeat after 12-weeks should now serve as a line properly balancing the right to terminate pregnancy and the State's profound interest in protecting and promoting **dignity** for individual fetal lives at or after 12-weeks gestation.

Complete development of the placenta make abortions after 12-weeks far more dangerous. Arkansas legislature struck a more proper balance between the different controlling interests and authority should remain with elected representatives of the people, as long as women have a reasonable time to terminate unwanted pregnancies. e.g. 12-weeks.

Arkansas legislature began respecting human **dignity** of the fetus and decided respect for an individual unborn human life outweighs the fundamental human right to an elective abortion of gestation after detection of heartbeats at the end of the first trimester when complete placenta development makes abortion of gestation far less safe and elective abortion of gestation kills a new individual human fetus.

Act 301 strikes a reasonable; and yes, constitutional balance, accounting for the significant changes to both a pregnant woman's interest and the State's respect for individual human fetal life since *Roe*.

Act 301 allows unfettered access to artificial abortion of gestation for the first 11-weeks of the first trimester, when most abortions occur, but prohibits these when fetal heartbeats are detected at 12-weeks when the unborn is a new human individual on life-support fed by a placenta (with exceptions for rape, incest, lethal fetal disorders and physical life of the mother).

Arkansas and every other State, allows surrendering unwanted infants after birth to completely eliminate the burden of unwanted parenthood and child care, which this Court described when justifying the right to choose artificial abortion of gestation.

The balance struck by Arkansas is a more reasonable balance and is more respectful of individual human **dignity** than the outmoded "*viability"* rule, which ignores critically important developments in humanity since *Roe*.

Perhaps more importantly to this petition, Act 301 is a balance crafted by an elected and accountable legislature and not an unaccountable Court *serving for life*. Act 301 provides a reasonable amount of time (12-weeks) to elect ending pregnancy for any or no reason. Act 301 would have survived had this Court respected the **dignity** of individual human fetal lives instead of *viability* and placed more faith in the common jury, a medical board, or doctors to weigh the balance of **dignity** between a fetus and female after 12-weeks gestation.

The Court should use this case as the ideal vehicle to update the outdated, outmoded, and arbitrary *"viability"* rule of *Roe* as applied in *Casey*. This Court should adopt a new standard that reflects and balances the State's profound interest in protecting the life of an unborn child against a woman's right to have *some* freedom to terminate her pregnancy. Artificial abortion of gestation should not allow casual killing of a fetal human.

"*Viability"* allows frivolous killing today and is dishonorable after 11-weeks when an independent human with a four-chamber heartbeat is killed and the fundamental human right to autonomy no longer supports aborting gestation. The State of Arkansas submits the end of the first trimester when a new individual human heartbeat and circulatory system are established and complete placenta has developed strikes a more reasonable and much more honorable balance between these competing interests.

The Court should conclude that Act 301 is a constitutional regulation of artificially terminating human gestation and more honorable than *viability*. The House of Representatives disregarded the "*viability"* rule for not considering the **dignity** of human lives before "*viability*".

The Court should grant certiorari because safe haven statutes eliminate the burden of unwanted parenthood and child care; -or the very foundations of *Roe*.

The Court of Appeals did not analyze the balance between a woman's mitigated right and the State's developing interest or even acknowledge or comment on the safe haven statute presented in this case and its mitigating effect on a pregnant woman's right to abort gestation under *Roe* and subsequent cases. All fifty States and the District of Columbia have laws authorizing women to relinquish a child after birth without consequence. Safe haven laws in effect nationwide completely relieve pregnant women of the burden of unwanted newborn children as identified and discussed in *Roe*.

This response by everyone in *America* alone should further motivate granting *certiorari.* The public and Congress will not wait for an update to *Roe* from 1973, as should further motivate granting *certiorari*.

Cases involving regulating abortion of gestation always strike at the balance between freedom to terminate pregnancy (autonomy) and a State's profound interest in protecting the **dignity** of the unborn child (prohibiting killing). The Court's recent abortion of gestation decisions acknowledge a significant increase in the State interest due to advances in medical technology and an increased understanding of the **dignity** a living, developing human fetus deserves.

The interest in terminating pregnancy after individual human heartbeats begin but prior to "*viability*" has tempered considerably since *Roe*. Contraception and first trimester medical abortions of gestation are increasingly accessible and safer than surgical abortions of gestation after the placenta develops. Safe haven statutes codified in *all fifty States* completely eliminated the burden of unwanted newborn children after birth and this should further motivate granting *certiorari*.

The decisions of the District Court and Court of Appeals obediently followed a "*viability rule*" like follows:

> any restriction on a pregnant woman's ability to obtain abortion of gestation, prior to *viability*, is *per se* unconstitutional.

Millions of Arkansas citizens and most on Earth want to recognize the **dignity** of unborn individual humans before "*viability",* as soon as these humans are unique fetal individuals.

REASONS FOR GRANTING THIS PETITION

There are numerous reasons for resolving this particular petition for *certiorari* summarily and these were noted repeatedly. The lower courts wanted to uphold Act 301, but were powerless to do so under the "*viability"* rule given this Court's refusal to address the *"viability"* rule in *Gonzales*. Weighty issues and important developments set forth clearly in this petition will not result in splits between circuits.

Honorable lower courts, like in this case, will continue to be bound by the *"viability"* rule until this Court (or Congress) revisits gestation. This should further motivate granting *certiorari*. Further percolation among federal courts will not lead to resolution of the important federal question(s) presented. The Court should uphold judicial branch honor and recognize fetal human **dignity** precedes "*viability"* as described by this Court forty-two years ago.

The United States trails the "*free*" earth and is closer to the Chinese in respecting individual human **dignity** for the unborn human fetus. The United States accepted the "*Universal Declaration of Human Rights*", but hides behind the terms "*are born...*" in Article 1 to excuse killing unborn human fetuses with individual human lives but without "*viability*", per this Court.

America allows balancing of diminished human **dignity** for convicts to allow retribution or revenge for victims or the public to excuse a "*death-penalty*". The cruel fact now for years has been, -elective killing was not done for capital punishment alone, but also for unborn fetal individuals when these humans are not yet "*viable*" in the eyes of this Court. Ironically; These unborn individuals might one day be President like today after born to a "*white*" mother and Negro father but not then aborted due to an assumed "*burden*" of raising a biracial child.

Repetition herein of the term "*viability*" emphasized refers to the term after elevated to Constitutional power by judicial choice. This was honorable in 1973 and for many decades thereafter...? The "*viability*" fiat is clearly dishonorable today just as the prohibition of homosexual marriage was dishonorable in 2015, or as dishonorable as Congress using "*STATE exchanges*" etymology to try invalidating the Affordable Care Act (ACA).

Limiting the "*House of Representatives*" to 435 Representatives by statutory fiat was dishonorable in 1929 and warrants remedy now because this degradation of democracy and the one-person one-vote doctrine lead to the current dishonorable *Citizens United* mistake of this Court.

Citizens United, the "*Reapportionment Act of 1929*", and illegal immigration worked together and invalidated democracy and harmed each *American's* individual human **dignity**. Campaign spending was never individual speech needing protection and was always a bribe or other coercive force but was called protected speech mistakenly by this Court. This disaster is much more obvious to people without wealth who were comparatively silenced decades ago and see no reason to vote (for those still bothering to vote), since choosing the lesser of two evils is NOT voting and has not been for many decades.

Times like these were when democracy needed a group with the task and power to overrule democratic mistakes violating individual human **dignity**. Mistaken choices made collectively by a majority almost ninety years ago negatively impacting individual human **dignity** protected in the Constitution, by its absence, should be remedied by this Court *sua sponte*. Yes; This Court did acceptably with etymology regarding "*marriage*" and abuse of the text "*STATE exchanges*" to create controversy because the United States is an individual sovereign State made of fifty individual sovereign States.

This Court recognized the "*1790 Copy[rite] Act*" as a **regime** failing to protect individual human **dignity** in *Holder* 2010, but then failed to recognize individual artist **dignity** was protected in Britain first in 1735 when the term "copyright" was not yet coined by Sir William Blackstone in about 1766 in "*Rights of Things*", on pages 406,407 with footnotes "l and m". Copy[rite] was intentionally misspelled in *America* like the [sic] "tung" misspelling fiat attempted by Noah Webster for decades to change "tongue" into [sic] "tung", as listed and explained, till being quietly changed to "tungsten" when *America* rejected this fiat though accepting most of the rest (most notably for U.S. culture was copy[rite]).

Copy[rite] remains misspelled today in *America* as a result. This Court allowed the word "*marriage*" to protect individual human **dignity** like Act 301 once tried to do for the unborn human fetus after the statute was vetoed by the Governor and called unenforceable by a court unwilling to thumb their nose at this Court, despite the obvious reasons for this change included herein.

The proper method for revising honorable judicial holdings like *Roe* is focusing on the fundamental human right being protected "*for a time*", while preserving **dignity** for the human species as a whole.

The marriage and ACA decisions were honorable regardless of controversy generated. Failing now to allow individual human **dignity** to prohibit the artificial end of fetal gestation will be as dishonorable as allowing capital punishment to continue (in the eyes of some), or letting *Citizens United* continue preventing government of the people, by the people being governed.

Allowing abortion of gestation "on-demand" before "*viability*" will be as dishonorable as the May 18, 2015 Ninth Circuit Court *en banc* fiat vacating an individual human **dignity** preserving Appellate injunction against Google Inc because of a 1790 copy[rite] misspelling and the *Wheaton v. Peters*, 33 U.S. (8 Pet.) 591 (1834) error dismissing individual human **dignity**.

No; This Court will never address this particular fiat because this republication harmed the **dignity** of an actor and Google Inc. obeys the dismissed injunction and voluntarily respects this artist's individual **dignity**. Individual **dignity** was never, however, protected by *America's* Copy[rite] regime after intentionally misspelling the compounding of the words "copy" and "rite" in 1790 in order to use an outmoded 1710 book monopolization rite or ritual to create a new *American* dialect and new authoritative dictionary by 1828. A *sua sponte* remedy awaits the Court in this case about individual human **dignity**.

Mr Webster's first "*American Dictionary of the English Language"* was done 38 years after writing the Copy[rite] Act in 1790 and spelling the printing press rite being copied as [sic] "copyright" though protecting no human right to control original speech like Britain had already done for over thirty years.

Benjamin Franklin was aware of this but died before this abuse of an *Americanism* created a wholly new dialect with a whole new culture where **dignity** and honor are reserved for judges.

The 1790 Congressional use of [sic] "copyright" did not protect the human right to preserve **dignity** or right to control use of inventions or creations which were later regretted or retracted. This Congressional use of a wholly new word (not in any dictionary) was during consideration of the rights of **individuals** (not corporations) needing protection from government or others by using a "*Bill of* [individual human] *Rights*".

The rite Britain used in 1710 to monopolize printing presses was copied verbatim in 1790 without two updates authorizing protection of individual human **dignity** for artists, added in 1735, but ignored despite Benjamin Franklin lobbying for creation of the transfer of human "copy-right" to an artist's widow in 1767. Benjamin Franklin[1] died before the Copy[rite] Act of 1790 was passed but not before ensuring copy[rite] was not coined in the Constitution in the 1787 "*Copy[rite] Clause*" or first "*State of the Union*" when George Washington mentioned the needed law on January 8, 1790.

The British Parliamentary Act transferring control of original vulgar art to the artist's widow in 1767 was ignored although Benjamin Franklin was aware of this "copy-right" and had urged creation of this method for inheriting the human right to British Parliament in 1767 to protect Jane Thornhill Hogarth from her dead husband's marginally vulgar art after this was used in Earth's first political cartoons depicting scantily dressed prostitutes.

Protecting individual **dignity** due to retracting statements or regretting fixing vulgar art or having a four-chamber heartbeat is missing for *Americans* due to a 1790 spelling error. During *Neeley v 5 Federal Communications Commissioners, et al,* (5:14-cv-5135)(14-3447), the FCC made "online" a common carrier as was demanded by this petitioner.

This *alleged* common carrier ("*online*") is, however, egregiously unsafe to broadcast by Wi-Fi radio into public schools. This cultural split explains the RTBF (right to be forgotten) or "right to **dignity**" online existing today in Europe and extending from France to worldwide soon.

1 "To Benjamin Franklin from Jane Hogarth, 22 May 1767," Founders Online, National Archives (founders.archives.gov/documents/Franklin/01-14-02-0093 [last update: 2015-11-02]). Source: The Papers of Benjamin Franklin, vol. 14, January 1 through December 31, 1767, ed. Leonard W. Labaree. New Haven and London: Yale University Press, 1970, pp. 165–166. Search link.

The dishonorable *Citizens United* ruling resulted in the *American* government becoming a hired regime attempting to look like a democratic republic guided by an honorable Constitution, but still ignoring individual human **dignity** reserved for even fetal humans by the Ninth Amendment.

Today's dishonorable corporate oligarchy was planned by voters scared of self-rule in 1929 after WWI. This statutory fiat has never yet been challenged but would quickly lead to immediate reversal of *Citizens United* and restore democracy and is now a *sua sponte* duty of this Court.

Yes; Supreme Court jurisdiction is discretionary but the *Beck v Edwards et. al.*, (15-448)) case and this have one honorable result. This Court either recognizes human **dignity** and allows Act 301 to be enforced or this Court becomes dishonorable and no longer "*viable*" as earth's only remaining authority ruling *for life,* besides the Pope. Democracy is still alleged after *Citizens United* made democracy a wholly absurd, fraudulent claim.

America's form of government is not democracy but was in the 1800's and persists in some of Europe today. "*Pretend*" democracy fooled many *Americans* before WWII, and most all by today. *America* celebrates and claims to defend democracy but is not a democratic republic like taught in schools in order to perpetuate the systematic harms being done to individual human **dignity**.

This Supreme Court kept the honorable Constitutional government of the people by *representatives of people* until an oligarchy of the wealthy replaced democracy completely after *Citizens United*.

Curtis J. Neeley Jr. watched corporate *America* replace the sovereign United States the way a reasonably intelligent extraterrestrial would and is wholly unique from other humans due to a severe traumatic brain injury and repeats the apology given to one elderly justice face-to-face for questioning the mental acuity of older minds after living in a rest home.

Curtis J. Neeley Jr. sought to intervene as an Arkansas voter and denial of this was abuse of discretion by the Eighth Circuit panel. Petitioner hereby asks the assistant Arkansas Attorney General (architect of the 15-448 filing) to argue for recognition of **individual human dignity**.

Whole Woman's Health v. Cole **from Texas and** ***MKB Management Corp. v. Stenehjem*** **from North Dakota**

These cases are not nearly as honorable as this case should be. Texas uses rare complications from later medicated abortions of gestation to also require hospital admitting privileges for proscribing abortafficients. This is a Texan attempt to limit the fundamental human right to abort gestation for 11-weeks and is wrong and should be resolved summarily.

Yes; the North Dakota "Heartbeat Act" recognizes a similar **dignity** of heartbeats, like Arkansas' Act 301. North Dakota fails, however, to provide ample time for exercising the fundamental human right to abort gestation like Arkansas does when no independent individual fetus is nourished by a placenta. Arkansas does this to preserve autonomy, a core component of human **dignity**, not addressed by North Dakota and should be resolved summarily.

Arkansas Act 301 recognizes the **dignity** of human heartbeats when these are first detected with modern ultrasound technology or about eight weeks before generally audible to the human ear. The complete development of the placenta, normally complete after 10-12-weeks, makes these four-chamber heartbeats come from new individuals making abortion of gestation far more dangerous.

Arkansas' Act 301 preserves the ethical **dignity** of the medical profession by proscribing killing individual humans with heartbeats, as in, "*first, do no harm*". At the same time; Act 301 recognizes the **dignity** of live pregnant females warrants a more firm rule and a more solid protection for autonomy than the North Dakota law allows. An embryo will have heart-like pulsations very quickly(6-weeks). This intentional logical failure would begin a race for the earliest detection of heartbeat-like sounds or movements using increasingly invasive techniques and further harming of the **dignity** of women and like the Affordable Care Act is a dishonorable plan to litigate twisting the etymology of words used.

CONCLUSION

Curtis J. Neeley Jr. prays certiorari be granted in *Beck v Edwards et. al.*, (15-448) and this Petitioner be allowed to intervene. The Appellant therein (Arkansas Attorney General) is not opposed and may now include the need to balance individual human **dignity** between the pregnant female and the new individual fetus living within this female at 12-weeks but before *viability,* like in this petition.

This petition obviates the separate need to request to file an amicus and could be summarily resolved by allowing Curtis J Neeley Jr to intervene in *Beck v Edwards et. al.*, (15-448), as was denied, requiring this Petition for *Certiorari*. Service of this petition for *certiorari* may do the same thing if *Beck v Edwards et. al.*, (15-448) is then granted and causes Act 301 to regulate gestation in Arkansas using a new human **dignity** rule to protect human fetuses and very soon nationwide.

This petitioner apologizes for addressing other items that are dishonorable today in *America* due to cultural impacts on United States from when founded. These dishonors resulted indirectly from a misspelling creating an artificial authorial monopoly for early schoolbooks in early *America*.

Noah Webster was honorable and did not realize choosing to spell copy[rite] arbitrarily, as if it were protecting **dignity** for creators, would create a new dialect. At the same time, this created a dishonorable new culture where lawyers, judges, and Representatives (like Benjamin Huntington in 1790) would use other torts to vicariously protect human **dignity** left out of the Copy[rite] Act of 1790. The Copy[rite] Act would have included the natural right to protect personal **dignity** from intellectual creations had Benjamin Franklin lived another year and updated United States law to protect authors or their widows like Mr. Franklin had done for Jane Thornhill Hogarth in Britain already in 1767.

Yes; This case could have been presented without calling the *Citizens United* decision dishonorable or the "*Apportionment Act of 1929*" dishonorable. These mistakes, like copy[rite], were each made with honorable intentions. Addressing this Supreme Court about fetal human **dignity**, required pointing out these mistakes since these mistakes acting in concert will soon make this nation a failed experiment in human self-rule instead of an experiment still struggling to succeed.

The *Roe* decision made by this Court was honorable because the right to protect human **dignity** is not enumerated. Until human knowledge increased and included complete individual humans attaching to placentas at about 12-weeks, the interest in bodily autonomy was controlling in order to preserve human **dignity**.

The "*right to privately choose*" must prevail when no individual human is complete enough to be harmed and this will never be an exact period of gestation. The honorable United States Supreme Court invalidated the earliest gestation regulations because human **dignity** requires autonomy when no other individual human is complete enough to be impacted.

The difficult *Roe* decision took a more honorable mentality than is common in *America* today. Curtis J. Neeley Jr. recently saw this type mentality still existing on this Court or this Petition for Certiorari would not be done. The decision to allow Act 301 to be an enforceable regulation of professionally ending gestation at 12-weeks could be done summarily except this nation needs time to accept the need to preserve human **dignity**, like is described herein. The human right to **dignity** will soon occur and *Beck v Edwards, et al*, (15-448) being considered and debated will lead to the public accepting Act 301 along with human **dignity** despite less than two percent of United States citizens living in Arkansas where Act 301 began.

This Petition should be granted summarily and be made an *amicus* supporting the Appellants in *Beck v Edwards, et al*, (15-448), after granted, in order for this Supreme Court to honorably address gestation regulations since *Roe,* while considering *Beck v Edwards, et al*, (15-448) and human **dignity**.

Most Respectfully Submitted, .

Certificate of Compliance with Rule 32(a)

1) This brief complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) because: this brief contains [6,093] words, including the parts of the brief exempted by Fed., . R. App. P. 32(a)(7)(B)(iii).

2) This brief complies with the typeface requirements of Fed. R. App. P.32(a)(5) and the type style requirements of Fed. R. App. P.32(a)(6) because this brief is prepared in a proportionally spaced typeface using Open Office 4 in 14 point type in Times New Roman typeface with Arial/Georgia typeface for the titles and is 6,093 words.

Respectfully and humbly submitted,

s/ Curtis J Neeley Jr

Curtis J Neeley Jr.
380W. 13th Street
Newark, AR 72562
14792634795-t-sms
curtis(at)curtisneeley.com

No. _____

_____

IN THE SUPREME COURT OF THE UNITED STATES

CURTIS J. NEELEY JR. — INTERVENING PETITIONER,

JOSEPH M. BECK, M.D., President of the Arkansas State Medical Board, and his successors in office, in their official capacities, ET AL.

Appellants

vs

LOUIS JERRY EDWARDS, M.D., on behalf of himself and his patients, ET AL.

Appellees

PROOF/AFFIDAVIT OF SERVICE

I, Curtis J. Neeley Jr., declare that on, November 15, as required by Supreme Court Rule 29 I served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person on earth with access to an unregulated common carrier network of wire communications, by depositing the above documents on a third party computer host properly accessible from http://human-dignity-us.org, or by delivery to an unregulated third-party common carrier (email) for immediate delivery.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15 , 2015.