

QUESTIONS/ISSUES PRESENTED FOR REVIEW:

I James Lawrence Pro Se sued Altice USA/News 12 Connecticut in December of 2018 for **slander and libel**. The case survived the Motion to Dismiss because Connecticut District Judge Stefan Underhill found that Altice/News 12's use of the word **stalking** was "*unfair*" when reporting on my **ONE count of Second Degree Breach of Peace** arrest. The case proceeded to a controversial Summary Judgement in January 2020. **Among the very alarming Opinions from the Connecticut District Judge Stefan Underhill was the following:**

*≈ 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*

I and others find this opinion to be contrary to everyday people's common sense.

SUMMARY ORDER QUOTE – Connecticut Judge Stefan Underhill Case 3:18-cv-1927 (SRU) Appendix A, 01/09/2020 Page 20 of 23.

The same goes for Articles 1 and 2. Their headlines read: "Police: Westport man charged with stalking women." That is misleading if not outright false. But the remainder of the Articles, again, mitigates the problem. Both Articles explain that Lawrence was actually "charged [] with breach of peace for an incident back in November." In addition, both Articles explain that the arrest warrant mentions 10 similar incidents; Article 1 mentions the Parking Lot Complainant and Article 2 mentions the Stop & Shop Complainant; both mention Lawrence's similar charges in California and his protective order; and Article 2 includes the "preying on women" quote. The headlines are not defamatory because the average person reading the 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.

An Appeal to Second Circuit Court of Appeals was met with avoiding arguments, stonewalling evidence, and misrepresentations of the case to which a 11th hour Deposition of the arresting officer confirmed that the Second Circuit Court of Appeals made mistakes in basic interpretations of the arrest/case and actual Connecticut laws. My attempt for a Rehearing was DENIED.

**THE FOLLOWING IS ONE WRITTEN ARTICLE FROM MULTIPLE
ALTICE/NEWS 12 BROADCASTS TRANSMITTED TO THE PUBLIC EVERY
HOUR FOR 2 HORRIFIC DAYS IN MARCH 14-15, 2018 THAT WAS PICKED
UP BY OTHER MEDIA, OTHER MEDIA ARTICLES/BROADCASTS THAT
THEMSELVES HAVE THEIR OWN CONTENT AT ISSUE IN SEPARATE
FEDERAL CASES.**

Police: Westport man charged with stalking women

Posted: Mar 15, 2018 6:03 AM EDT
Updated: Mar 15, 2018 7:31 AM EDT

WESTPORT - Police say a Westport man is facing charges today for allegedly stalking several women at local grocery stores.

They say James Lawrence, 52, has a history of following women around local groceries stores and then out to their cars.

According to police, Lawrence has been involved in 10 different cases and was charged with breach of peace for an incident back in November after turning himself in last week. They say he has faced similar charges in California and has a protection order filed against him.

"This is a guy that you know is walking around the grocery stores preying on women and it's really frightening to wonder what could possibly happen," says one woman, who did not want to be identified. She says Lawrence followed her to her car in a Stop and Shop parking lot a few months ago and asked her out.

"I'm not guilty, all I did was approach a girl and that was it," Lawrence says.

Investigators say the 52-year-old was arraigned Wednesday.

IMAGE FROM ONE OF THE BROADCASTS:



- This March 15, 2018 article and a series of similar yet far more powerful recorded broadcasts over a two day span transmitted to the public EVERY HOUR was based on an arrest (first and only arrest relative to Warrant) for **ONE COUNT OF SECOND DEGREE BREACH OF PEACE**, to which the Arrest Warrant claims I (53 year old man) had a history of ONE-TIME COMPLAINTS OF UNPROVEN AND UNPROVABLE “follow and stare and get into personal space” at public shared markets fully wired with cameras DESPITE NO EVIDENCE OF THIS CLAIM HENCE NO PREVIOUS ARREST FOR ANYTHING EVER AS MY CLEAN CONNECTICUT RECORD INDICATES.

- This March 15, 2018 article and series of broadcasts was a special report DONE 10 DAYS AFTER THE ARREST after Altice/News 12 reporter Mark Sudol obtained the Arrest Warrant 10 days after the arrest when news had already reported the arrest in tune with the Official Police Press Release. YES - A SPECIAL REPORT WHERE THERE WAS PLENTY OF TIME TO GET INPUT FROM POLICE YET THERE ARE NO QUOTES FROM POLICE TO HELP INTERPRET THE SEIZED WARRANT WHILE GOING EXTREMELY BEYOND THE OFFICIAL POLICE PRESS RELEASE AND DEPOSITON OF ARRESTING OFFICER.

- THIS MARCH 15, 2018 ARTICLE AND SERIES OF BROADCASTS OVER A TWO-DAY SPAN ACCUSES ME OF **STALKING** AND “**STALKING SEVERAL WOMEN**” despite the warrant not using this term, no arrest for **stalking**, no previous arrest for anything, and no complainant named or quoted accusing me of “*stalking*”.

- THIS MARCH 15, 2018 ARTICLE AND SERIES OF BROADCASTS OVER A TWO-DAY SPAN IS SAYING “**POLICE: WESTPORT MAN CHARGED WITH STALKING WOMEN**” YET HAS NO EVIDENCE OF ANY **STALKING** IN THE FORM OF ANY KIND OF PRIOR ARREST LET ALONE **STALKING**, NO QUOTE FROM ANY WOMAN CLAIMING **STALKING OR HARASSMENT**, AND NO QUOTE FROM POLICE USING THE WORDING/TERMINOLGY **STALKING OR HARASSMENT**.

THE FOLLOWING IS THE MARCH 5, 2018 OFFICIAL POLICE PRESS RELEASE FOR THE MARCH 5, 2018 FIRST EVER AND ONLY ARREST FOR ONE COUNT OF SECOND DEGREE BREACH OF PEACE:

Westport Custodial Arrest Synopsis

03/02/2018 to 03/05/2018

CASE: 2017-022937
ARREST DATE: 03/05/2018
ARRESTED: **James Lawrence** AGE: 52 RESIDENCE: **Westport, CT**
CHARGE: Breach of Peace
BOND: \$5,000

On 11/05/2017, officers were dispatched to a local grocery store on a report of a suspicious person. The victim reported she was followed around the store by an unknown male who then followed her out to her car and stood by the door of her vehicle. The male was later identified as James Lawrence, 52, of Westport, CT. An arrest warrant application was submitted for approval and granted by a judge. On 03/05/2018, Lawrence turned himself on the active arrest warrant. He was charged with 53a-181 Breach of Peace and released after posting \$5,000 court set bond. Lawrence is scheduled to appear in Norwalk Court on 3/14/18.

SOME INTRODUCTORY FACTS:

I was arrested March 5, 2018 for a **ONE COUNT OF SECOND DEGREE BREACH OF PEACE** that allegedly happened on November 5, 2017. Yes – 5 months earlier. I was called out of the blue by the Westport CT. Police Department and asked to turn myself in. This arrest had no Sworn Written Statement (as indicated in the Arrest Warrant) from the woman of November 5, 2017, and no evidence of anything criminal like a single market video cam recording.

I was offered on my first court date to pay a non-criminal Infraction of \$90 but refused this deal because of the media slander and libel. After waiting 2 YEARS for a trial that never was going to happen, I chose in February 2020 to pay the \$90 non-criminal Infraction for Creating a Public Disturbance so to end the madness of traveling back and forth from my new home – RELOCATING BECAUSE OF THE SLANDER AND LIBEL. **MY CLEAN CONNECTICUT RECORD REMAINS TO THIS DAY.** The Altice/News 12 accusations and now because of Altice/News 12 – accusations from other media of **STALKING OR HARASSING WOMEN** at local public stores is alleged, unproven, and unprovable. These incidents at a public market are in Westport Ct. and only Westport CT.

THE FOLLOWING ASPECTS OF THE ARREST WARRANT IS THE ISSUE AT HAND. THE ALTICE/NEWS 12 ARTICLES AND BROADCASTS (AND MEDIA WHO PICKED UP ON LIBEL) WERE BASED ON THE FOLLOWING ARREST WARRANT NARRATIVE.

SECTION 11-12 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 I also learned from these reports that there were a lot of other incidents with Lawrence that

(This is page 2 of a 3 page Affidavit.)

Date	12-23-17	Signed (Affiant)	[Signature] #4358
Jurat	Subscribed and sworn to before me on (Date) 12/23/17	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	1-2-18	[Signature]	01/02/18

ARREST WARRANT APPLICATION
 JD-CR-64a Rev. 3-11
 C.G.S. § 54-2a
 Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
 SUPERIOR COURT**
 www.jud.ct.gov

Name (Last, First, Middle Initial) LAWRENCE, JAMES	Residence (Town) of accused WESTPORT	Court to be held at (Town) NORWALK	Geographical Area number 20
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Affidavit - Continued
 were not reported to the police.

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.

(Emphasis on "Arrest Record" and not "Conviction Record" for there was no previous convictions for the 1995 California Stalking charge, 2013 Injury to Spouse, or 1987 Florida Eluding Police charge as shown in Exhibit of FBI Criminal Background Check)

FACT: The Altice/News 12 Connecticut reporter Mark Sudol by seizing and reading this warrant KNEW I had NO Criminal Record YET STILL CHOSE TO ACCUSE ME OF **STALKING WOMEN** IN THE PAST DESPITE POLICE THEMSELVES NEVER SAYING THIS. This is very extreme and damaging interpretations of the warrant to say the least. Police carefully chose the long past complaint wording "follow and stare or get into personal space" for the alleged but FULLY KNOWN

UNPROVEN AND UNPROVABLE ONE-TIME PAST ACTS resulted in NOTHING but warnings. Police chose this wording so to avoid **stalking and/or harassment terminology** (Course of Conduct behavior) given **Stalking and Harassment are actual multi-level Course of Conduct statutes.**

FACT: A DEPOSITON OF THE WARRANT WRITING OFFICER CONFRIMS THAT HE CAREFULLY CHOSE HIS WORDING AND NEVER THOUGHT OF USING THE **STALKING OR HARASSMENT WORDS (COURSE OF CONDUCT CRIMES) ALTICE/NEWS 12 DEPLOYED AGAINST ME.**

DEPOSITION OF WESTPORT POLICE ARRESTING OFFICER JAMES SULLIVAN:

17 All right. How about this? Okay. We're
18 going to move on. **Is it accurate to say,**
19 **Officer Sullivan, that you consciously avoided using**
20 **words -- since you did not use the words "stalk" or**
21 **"harass" in the warrant, that you consciously avoided**
22 **using these terms, because these are actual crimes of**
23 **course of conduct behavior, as you've just described,**
24 **with their own statutes?**

25 MR. YUHAN: Objection to form.

Page 34

1 MR. DRISCOLL: Objection. If you
2 understand, you can answer.
3 A. I didn't actively avoid using those terms, if
4 I understand you correctly. I didn't actively avoid
5 them. I didn't consciously avoid them. **They just**
6 **didn't come up.**

YES – THE ARRESTING OFFICER HIMSELF SAYING HE NEVER THOUGHT OF USING THE TERM **STALK OR EVEN **HARASS.****

QUESTION #1:

Can a media lawfully portray this **ONE TIME SECOND DEGREE BREACH OF PEACE** arrest as “**ARRESTED FOR STALKING SEVERAL WOMEN**” given the fact that the **STALK OR HARASS WORDING (COURSE OF CONDUCT BEHAVIORS AND ACTUAL LAWS)** are not part of the **SECOND DEGREE BREACH OF PEACE STATUTE** and the **STALK OR HARASS TERMINOLOGY/WORDS** are NOT DEPLOYED BY THE WARRANT WRITING OFFICER, thereby being forever portrayed by the media as a **STALKER** in the Age of the Internet, portrayed as a **STALKER** not only of a woman (related to the one-time arrest for **Second Degree Breach of Peace**) who was never quoted or willing to give a Sworn Written Statement AS THE ARREST WARRANT IN QUESTION SHOWS, but of ANY PHANTOM WOMEN (NO NAMES OR QUOTES) in the past that did not use the **STALK OR HARASS TERMINOLOGY** and who themselves ALSO NEVER GAVE SWORN WRITTEN STATEMENTS LET ALONE HAVE ANY KIND OF ARREST TIED TO THEIR ONE-TIME CALL OF CONCERN TO POLICE/COMPLAINT RESULTING IN NO PROBABLE CAUSE AND NO POLICE ACTION WITH STATUTE OF LIMITATIONS FULLY IN EFFECT?

THIS SECTION 11 NARRATIVE FROM THE ARREST WARRANT IS THE MAIN ISSUE AT HAND.

QUESTION #2:

If a media company are to choose different words (let alone laws) than the Arrest Warrant should they not be obligated to have **actual names with actual quotes from a woman claiming these words stalking or harassing?**

THE SECOND CIRCUIT COURT OF APPEAL DECISION'S SIGNIFICANT QUOTE:

APPEAL SUMMARY ORDER QUOTE - Judge Debra Ann Livingston Case 20-393, Appendix B, 01/07/2021, Page of 2-3 of 5.

Here, the district court properly granted summary judgment because the evidence showed that News 12 accurately reported on what police said regarding Lawrence's documented history of following women in a harassing manner. The totality of Lawrence's conduct—including on November 5th and numerous past instances—met the common definition of "stalking": "to pursue quarry or prey stealthily," or "to pursue obsessively to the point of harassment." *Stalk*, Merriam-Webster's Online Dictionary (accessed Nov. 9, 2020). As described in the arrest warrant application on which News 12 based its reporting, Lawrence was accused on November 5, 2017 of following a woman inside a grocery store and out to her car in the parking lot, where he stood staring at her. This behavior was similar to his behavior in ten other reported incidents since 2002 in which he followed women in public places causing them to call the police because they felt uncomfortable. Therefore, because the November 5th incident and the other incidents mentioned in the arrest warrant involved Lawrence's repeated, unsolicited, and frightening behavior toward women, they were fairly described as stalking.

QUESTIONS #3:

WHY IS THE SECOND CIRCUIT COURT OF APPEAL NOT WRITING "ALLEGED *totality of Lawrence's conduct*" given the fact the reader of the Arrest Warrant KNOWS that these past alleged "*get into personal space*" are theories, unproven, and unprovable because there are no arrests tied to these incidents let alone evidence for veritable **stalking behavior** would have at least one instance of Probable Cause?

QUESTIONS #4:

Does the Second Circuit Court accurately define the dictionary definition of **stalking**?

QUESTIONS #5:

Can fully KNOWN long past decades old complaints/calls of concerns and resulting

warnings devoid of any Probable Cause for any type of arrest (let alone the extreme arrest of **stalking**) and devoid of any evidence in the form of Sworn Written Statements, video coverage, witnesses, etc ... be lumped together as what the Second Circuit Court of Appeals writes ***“the totality of Lawrence’s conduct”?***

IT IS THIS QUOTE FROM THE SECOND CIRCUIT COURT OF APPEAL THAT DESERVES IMMEDIATE SOCIALLY SCIENTIFIC ANALYSIS AKA JURY OF OUR PEERS, POLLS, SURVEYS, LINGUISTIC EXPERTS, LEGAL EXPERTS, ETC... WHEN DISCUSSING WHAT JUDGE STEFAN UNDERHILL WROTE *“the mind of the average viewer”*.

This simple broad brush generalization from the Second Circuit Court of Appeal is one of many very controversial opinions, for equating any let alone “all” long past run ins with someone that resulted in NO police action/arrest as ***“harassing”*** devoid of any evidence with simple common sense logic dictating 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 Arrest Warrant never ever delves into, an Arrest 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 statutes**. **Media should never be allowed to choose their own wording of an arrest or warrant especially loaded weapon words like stalk or harass.**

QUESTIONS #6:

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 Arrest Warrant writing officer himself never used the terms **harassing or stalking** (both Course of Conduct behaviors) and within Arrest Warrant writing officer’s Sworn Deposition said he never thought of using these words **stalk or harass** and opted for ***“get into personal space”*** – an actual dictionary phrase s shown in Exhibit that NEVER has the words **harass** let alone **stalk** within its definition?



SINCE 1828

GAMES | BROWSE THESAURUS | WORD OF THE DAY | WORDS AT PLAY

invade someone's space

DICTIONARY

THESAURUS

invade someone's space idiom



Definition of *invade someone's space*

: to place oneself too close to someone

// I felt uncomfortable with her so close, *invading my space*.

also : to be in the space where another person is or wants to be

// I went to study in the library so I wouldn't *invade my roommate's space*.

The definition NEVER uses the wording – stalk, stealth, prey, harass.

This Webster's entry that does not use the Course of Conduct acts of **harass and stalk** is still even more severe than what the Warrant states because this definition states "*invade personal space*" while the warrant is more benign showing no INTENT "*get right into personal space*". In addition, no article on "*violation of personal space*" uses the terms **stalking** to cover this behavior.

I argue "POLICE: ..." aka the warrant writing officer chose this dictionary entry and actively avoided the Course of Conduct terms **stalk and harass**. The Deposition of the Arrest Warrant writing officer confirms this fact.

MORE QUESTIONS AND ARGUMENTS ABOUT ALTICE/NEWS 12 CONNECTICUT REPORTING

“Arrested for Stalking Several Women” and “Preying on Women” as NOT being “substantially true”.

English: Substantially – 1: to a great or significant extent

2: for the most part; essentially

Essence - 1a: the permanent as contrasted with the accidental element of being

b: the individual, real, or ultimate nature of a thing especially as opposed to its existence

c: the properties or attributes by means of which something can be placed in its proper class identified as being what it is

2: the most significant element, quality, or aspect of a thing or person

3: one that possesses or exhibits a quality in abundance as if in concentrated form

Issue/Question #7:

- How can a major media news organization report of someone being ***“Arrested for Stalking Several Women” and “preying on 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 **stalk**?

Issue/Question #8:

- How can a major media news organization’s report of ***“Arrested for Stalking Several Women” and “preying on women”*** be deemed by District Judge *“outright false”* aka not true, but be spun *“substantially true”* without any evidence of **stalking** (allegedly at local markets wired inside and out with cameras yet not one video submitted as evidence), let alone reported on as ***“preying on women”*** without any evidence of police themselves saying/writing that someone was **stalking** and **preying** or **harassing**, without any evidence in the form of arrests, or arrests with convictions, or actual written words deploying the **stalking language** within the Arrest Warrant?

Issue/Question #9:

- With THE WORD “substantially” defined as - for the most part, essentially, to a great or significant extent – How can someone be reported upon as ***“Arrested for Stalking Several Women” and “preying on women”*** with overwhelming Damages, when this person did not ever legally **stalk** or **prey on** any woman, and the remaining questions being of whether this person might have **stalked** or **preyed** in some lesser way but can never ever be answered (unproven and unprovable material) given there was already thorough investigations of the alleged police incidents and all these investigations resulted in no Probable Cause/criminal accusations aka no arrests of any kind and any attempt to continue any long gone unproved and unprovable “case” (meant to be redacted from public consumption as evident from Police FOIA Officer) would be against the law of the statute of limitations, let alone the fact that 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?

Issue/Question #10:

Is it right for me James Lawrence to NOW TO BE FOREVER PORTRAYED AS A “**STALKER**” devoid of any arrest or conviction and without any evidence in the form of **stalking language** within the **one count of Second Degree Breach of Peace** arrest warrant let alone any past incident report devoid of arrest, let alone arrests devoid of convictions, let alone a woman being quoted of such a charge? This utterly insane loose and conflating of terms by the Second Circuit Court of Appeals dangerously belittles actual proven **stalking** and can not only cause more people to be unjustly accused of **stalking**, but would decrease the necessary severity of actual proven **stalking** like **criminal stalking** thereby giving these **convicted stalkers** freedoms and empowerment to rationalize their **proven stalking behavior** that is contrary to what the **stalking laws** since the 1990s intended. This is very dangerous to say the least.

Issue/Question #11:

- Given that other media picked up on this extremely false interpretation of the Arrest Warrant, to which I have a second Federal lawsuit - James Lawrence v. Hearst Communications, is not the Supreme Court a necessary forum to provide conclusive detailed opinions based on the evidence submitted so the unproven and unprovable accusations aka unjust persecution finally end?

Issue/Question #12:

- Given that the Connecticut District Judge Stefan Underhill himself in James Lawrence v. Altice USA admitted in his Summary Judgment Decision that the news coverage “**arrested for stalking several women**” was “*unfair*” and “*outright false*”, should not the U.S. Supreme Court review the evidence submitted to the Second Circuit Court of Appeals and review their controversial and evasive Decision?

Issue/Question #13:

- 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 “**stalking**” narrative to which Altice caused?

Issue/Question #14:

- In today’s highly politized culture and gender warring zeitgeist is not the evasive Decision from New York’s Second Circuit Court of Appeals 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 resonate in what Judge Stefan Underhill phrased the “*minds of the average viewer*”?

Issue/Question #15:

- Can a court 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 closed cases devoid of any kind of arrest?**

Issue/Question #16:

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

Issue/Question #17:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of ***“arrested for stalking several women”*** to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest and Arrest Warrant narrative **that never deploys** the words ***“stalk” or “harass”***?

Issue/Question #18:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of ***“arrested for stalking several women”*** to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest warrant narrative ***“follow and get into personal space”*** that mentions prior KNOWN unproven and unproveable past long **closed cases** resulting in no arrest of any kind (or as the Second Circuit Court of Appeals writes past ***“totality of Lawrence’s conduct”***) with statute of limitations in effect?

Issue/Question #19:

- What is this ***“totality of Lawrence’s conduct”*** (should have been written alleged) and because there are no details is not sticking to the actual wording of the arrest warrant in order?

Issue/Question #20:

Since there are no Sworn Written Statements and never an prior arrests for anything, can anyone ever know in a “substantial” way what was the ***“totality of Lawrence’s conduct”***?

Issue/Question #21:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of ***“arrested for stalking several women”*** to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest warrant narrative ***“follow and get into personal space”*** that mentions prior KNOWN unproven and unproveable past 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 this very Arrest Warrant never deploying the

words *“stalk” or “harass”*?

Issue/Question #22:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of *“arrested for stalking several women”* to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest warrant narrative *“follow and get into personal space”* that mentions prior KNOWN unproven and unproveable past 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 arrest 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”*?

Issue/Question #23:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of *“arrested for stalking several women”* to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest warrant narrative *“follow and get into personal space”* that mentions prior KNOWN unproven and unproveable past 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 there never had been any prior arrest for **stalking or harassing** nor any other charge like **Second Degree Breach of Peace** hence having a clean record in regard to the material at issue?

Issue/Question #24:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of *“arrested for stalking several women”* to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest warrant narrative *“follow and get into personal space”* that mentions prior KNOWN unproven and unproveable past 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 there never being any actual woman quoted claiming *“stalking” or “harassing”*.

Issue/Question #25:

- Can the Second Circuit Court of Appeals allow and empower the extreme characterization of *“arrested for stalking several women”* to someone (James Lawrence) based on a **One Count of Second Degree Breach of Peace** arrest warrant narrative *“follow and get into personal space”* that mentions prior KNOWN unproven and unproveable past 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 there never being any evidence of *“stalking” or “harassing”*.

Issue/Question #26:

- Can the Second Circuit Court of Appeals be allowed to **conflate** the **Course of Conduct terms of stalk and harass** and **Course of Conduct laws of stalking or harassing** with a one time alleged (never convicted) **One Count of Second Degree Breach of Peace** for *“following and getting into personal space”*.

Issue/Question #27:

- Can the Second Circuit Court of Appeals be allowed to falsely refer to the Connecticut **Second Degree Breach of Peace Statute** in a way that **conflates** this Connecticut **Second Degree Breach of Peace Statute** with Connecticut **Third Degree Stalking** all the while ignoring the sworn Deposition of the arresting officer that affirmed the one-time arrest for **One Count of Second Degree Breach of Peace** was in reference to the #6 part of the statute *“creates a (single) public and hazardous or physically offensive condition”* and not any other part of the **Second Degree Breach of Peace statute** (#1) *“engage in threatening manner”*, the court attempted to associate the arrest with while grossly conflating the statutes of **Second Degree Breach of Peace** with **Third Degree Stalking**?

Issue/Question #28:

- Are not different laws different for particular reasons?

Issue/Question #29:

- Why does the Second Circuit Court of Appeal when delivering their very questionable and controversial Decision, reference a lone past actual **stalking arrest** from 1996 in California involving my known ex-girlfriend who provided warning (hence a Restraining Order), a only stalking arrest that itself resulted in no conviction as Exhibits on my FBI Criminal Background Check prove?

Issue/Question #30:

- What is the *“average reader’s”* understanding of the terms *“stalk” or “harass”* let alone *“arrested for stalking or harassing”*?

Issue/Question #31:

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

Issue/Question #32:

- If a news organization is to report and reference a past closed case or call of concern to police that resulted in NO arrest as **stalking or harassing** should there not be a quote from some named woman deploying these terms of **stalking or harassing**?

Issue/Question #33:

- How is the accusation of, let alone arrest of, or let alone crime of **stalking** different from other crimes reported upon?

Issue/Question #34:

- Is the news headline “Man Arrested for one count of Second Degree Breach of Peace” “*substantially*” different than “*Man Arrested for Stalking Several Women*”?
Common sense. Obviously yes they are extremely different.

Issue/Question #35:

- Are what Judge Underhill termed “*IMPACTS*” AKA DAMAGES of the news headline “Man Arrested for one count of Second Degree Breach of Peace” different than “*Man Arrested for Stalking Several Women*”?

Issue/Question #36:

- Who are the “*average reader/viewer*”? Is the average reader/viewer a single judge or more than one person in the form of 3 judges within an Appeals Court, juries, witnesses, studies, experts, surveys, and polls – EVERYDAY PEOPLE?

Issue/Question #37:

- What are as Judge Underhill termed the “*popular acceptance*” of *stalking* behaviour let alone “*popular acceptance*” of the “*outright false*” news report “*Arrested for Stalking Several Women*”?

Issue/Question #38:

- Is a thorough and detailed analysis of the Damages from the “*IMPACT*” of News 12’s “*outright false*” news reports necessary to measure if News 12 “*dulled the impact*” (as Judge Underhill wrote) and necessary to measure how and how much to “*dull the impact*” from the various “*outright false*” news libel and slander?

Issue/Question #39:

- Can you report on someone having “*stalking*” behavior from merely referencing the long ago fully investigated Incident Reports that resulted in no arrests/no charges aka no criminal behavior?

Issue/Question #40:

- News 12 Connecticut reporter Mark Sudol controversially read the Arrest Warrant that mentioned that I James Lawrence allegedly “*has been involved in 10 other cases with women at local supermarkets*” **while at the same time reading in that same Arrest Warrant the fact that James Lawrence does not have a criminal history in Connecticut (local) –meaning HE KNEW these “incidents” were case closed,** but Sudol goes on to report on these alleged “incidents” not even related to the arrest and never can be related to the arrest (since they were investigated long ago resulting in no arrest/no charge with statute of limitations in effect) in a way that jumps beyond what anything can be proved – “*Arrested for Stalking Several Women*” let alone jumps beyond the actual arresting incident – *single count of Second Degree Breach of Peace*. Since he knew these cases were closed what right does Altice/News 12 Mark Sudol let alone any

Civil Court have to spin these case closed incidents as “Stalking”?

Issue/Question #41:

- What is (as the Arrest Warrant states) “*follow*” and “*get into personal space*” (a now newly coined popular phrase) and how can we define “*violation of personal space*”? Is not the police using this “*follow*” language intentionally avoiding to use the more extreme Course of Conduct behavior/language of “*stalking or harassing*”?

Issue/Question #42:

- Are we living in a very freakishly aggressive and increasingly Guilt by Accusation culture zeitgeist 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 investigations of alleged Incident Reports) and are we prepared to begin to do something about this ever-growing problem?

Issue/Question #43:

- Is it fair to label someone a “*stalker of several women*” without this person ever being arrested for this behaviour let alone any complainant using the terms of **stalk or harass**?

Issue/Question #44:

- Are not alleged past “incidents” that became complaints to police and then are investigated resulting in no arrest more conclusive than the current zeitgeist of women being allowed to come forward and point the finger in the media devoid of any kind of police investigation? There are open questions with such accusations not investigated. My alleged “incidents” have closure while the permissive zeitgeist of allowing women to come to media devoid of investigation and make complaints do not have closure. And keep in mind, the narrative against me there was no names of accusers but in these ever growing happenings now with women deploying the media to share their stories **there are names of accusers!!!**

Issue/Question #45:

- 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 aka no arrest cases long closed, how can any reference to these Incident Reports be taken into account at all?

Issue/Question #46:

- Can a news organization while reading the Arrest Warrant narrative of past unproven and unprovable past “*follow and get into personal space*” report on someone’s one time arrest for **One Count of Second Degree Breach of Peace** as “**Arrested for Stalking Several Women**” all the while having no women (named or not) quoted from the past and also having the only woman who is quoted in their reports never having an Individual Police Report and this lone woman quoted never

deploying the words **stalk or harass**?

Issue/Question #47:

Are we as a nation prepared to continue to allow a woman/women to use the media to push her/their unproven often under-informed, emotional, mysterious agenda-driven accusations (i.e. dirty politics) devoid of proper police investigations and obvious persecutions accusing men of non-criminal behavior in ways that not only insinuate some kind of criminality but slanderously results in reports of criminality that jumps multiple levels beyond either any proper police investigations and conclusions of anything at issue or even beyond an actual arrest (like my arrest of **one count of Second Degree Breach of Peace**)?

Issue/Question #48:

- Does Judge Stefan R. Underhill's Decision and Second Circuit Court of Appeals Judge Debra Ann Livingston's Decision make the obvious growing problems with the current hypocritical persecutory zeitgeist of women feeling the freedom to deploy the media against a man better or worse, freedoms to deploy media devoid of police investigations let alone contradicting past police investigations?

Issue/Question #49:

- Does the Second Circuit Court of Appeals accurately define the dictionary terms **stalking, harassing, and stealth**?

Issue/Question #50:

- If a media company are to choose different words (let alone laws) than the Arrest Warrant should they not be obligated to have actual quotes from a police interview deploying these words **stalking or harassing**?

Issue/Question #51:

- 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 **"suspicious person"** any kind of proper evidence of past **stalking**?

Issue/Question #52:

- Can the necessary definition of **persistence** within the terms **stalk or harass** – be applied to lump sum or as Second Circuit Court opines **"totality of Lawrence's conduct"** of alleged yet never proven and unprovable (given statute of limitations let alone no Sworn Written Statements) acts?

Issue/Question #53:

- Can a sum of past complaints devoid of any police action be evidence of let alone described as any kind of **persistent** behavior in tune with **stalking definitions**?

Issue/Question #54:

- Can we not apply this very loose opinion of the Second Circuit Court of Appeal

“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 arrests?

Issue/Question #55:

- Should a media organization when choosing their own words to describe an arrest at the very least have a complainant quoted in reference to any narrative they are attempting to interpret like Section 11 of the Arrest Warrant at issue?

Issue/Question #56:

HOW ABOUT THIS QUESTION:

Fact: Internet search/Google “James Lawrence” and/or “James Lawrence Westport” and my site on recording every aspect of the fiasco is a top result along with Heart’s/Westport News libel who picked up on Altice/News 12 before they took their coverage down.

SO ...since I record all happenings around the false arrests and resulting civil suits at top search result for the fiasco

www.WestportJamesLawrenceNOTGuilty.com

what happens if someone decides to do a similar “*stalking*” story NOW after reading the Officer’s Sworn Deposition of Feb. 2021 at top search result

www.WestportJamesLawrenceNOTGuilty.com

where the warrant writing/arresting officer says under oath he never thought of using the term “*stalk or harass*”....

WHAT SHOULD HAPPEN TO ANYONE NOW WHO CHOOSES TO PORTRAY ME AS A “**STALKER OR HARASSER**”?

WHO IS THEIR AUTHORITY?

Alice/News 12 and/or Hearst/Westport News????

THAT WOULD BE INSANELY UNJUST.

Anyone portraying me as a *stalker or harasser* would be sued by me given the facts now established in 2021.

And if this very real scenario happens

what does that say about the right to “*substantially*” portray me as a “*stalker*” let alone “*stalker of several women*” devoid of proper evidence – names, quotes, police wording in warrant, police deposition, prior arrests, etc...

NEWS 12 CONNECTICUT/ALTICE USA is responsible for portraying me as a “*stalker of several women*” and at the very least we need a trial to allow them to prove it **or simply compensate me in a temperate way for Damages from the mistakes so no one even thinks of parroting this unprovable madness!!!!**

THERE IS THE ISSUE OF STALKING AND HARASSMENT STATUTE DEFINITIONS STATE BY STATE AND THE NEED TO HAVE A PROPER AGREED UPON DEFINITION NOT ONLY IN TUNE WITH LAW BUT ALSO WITHIN EVERYDAY LANGUAGE APPLIED TO VARIOUS ARRESTS OR INVESTIGATIONS. Stalking laws came into being around 1990, and previous Course of Conduct Harassment Laws (that were of the pre-1990 time addressing stalking) were transferred to electronic media given the rise of the Internet. Thus stalking and harassment are Course of Conduct laws and behaviors – Course of Conduct - 2 or more unwanted acts toward one individual after a warning, for example like a Restraining Order that shows intent.

The way Websters Dictionary defines STALKING AND HARASSING shows that STALKING is a form of HARASSMENT and thus HARASSMENT is a Course of Conduct behavior also toward ONE PERSON. But what type of Course of Conduct behavior? I believe HARASSMENT can be commonly viewed as a shorter-term Course of Conduct behavior (perhaps within a 10-15 minute period that involve well documented warnings in the face of attacks and not unintended *“getting into personal space”* (Arrest Warrant) while STALKING is obviously more of a Course of Conduct behavior involving multiple time periods. NONE OF THIS IS EVIDENT IN SECTION 11 OF THE ARREST WARRANT.



SINCE 1828

GAMES | THESAURUS | WORD OF THE DAY | BLOG | SHOP

stalk

Dictionary

Thesaurus

stalk verb

stalked; stalking; stalks

Definition of *stalk* (Entry 2 of 3)

intransitive verb

- 1 : to pursue quarry or prey stealthily
- 2 : to walk stiffly or haughtily

transitive verb

- 1 : to pursue by stalking
- 2 : to go through (an area) in search of prey or quarry
// *stalk* the woods for deer
- 3 : to pursue obsessively and to the point of harassment

THE ARREST WARRANT IN QUESTION SHOWED NO VERITABLE **STEALTH** LET ALONE **HUNTING/KILLING-LIKE BEHAVIOR** FOR I WAS ATTEMPTING TO SAY HELLO AND BE SEEN – **conspicuous**.



SINCE 1828

GAMES | THESAURUS | WORD OF THE DAY | BLOG | SHOP

stealth

Dictionary

Thesaurus

stealth noun

Save Word

\ 'stelth \

Definition of *stealth* (Entry 1 of 2)

- 1 : a cautious, unobtrusive, and secretive way of moving or proceeding intended to avoid detection

VERITABLE “follow and get into personal space” WOULD BE OBSTRUSIVE. BUT IF THERE WAS REPEATED following without attempts to say hello and/or warnings that would entail stealth and stalking.

Common sense.

KEEP IN MIND THESE ARE ALLEGED ONE-TIME ACTS OF WHAT POLICE REPORTS CHARACTERIZE AS A “SUSPICIOUS PERSON” AT A PUBLIC FACILITY WHO WAS NEVER WARNED, HAD CONVERSATIONS WITH, OR HAD SOMETHING LIKE A RESTRAINING ORDER, POLICE REPORTS RESULTING IN NO PROBABLE CAUSE FOR ANY TYPE OF ARREST.



Merriam-Webster SINCE 1828

GAMES | THESAURUS | WORD OF THE DAY | BLOG | SHOP

harassment

Dictionary Thesaurus

harass verb

 Save Word

ha-rass | \ hə-'ras ; 'her-əs, 'ha-rəs  \

harassed; harassing; harasses

Definition of *harass*

transitive verb

1 a : EXHAUST, FATIGUE

// I have been *harassed* with the toil of verse

— William Wordsworth

b (1) : to annoy persistently

// was *harassing* his younger brother

(2) : to create an unpleasant or hostile situation for especially by uninvited and unwelcome verbal or physical conduct

// was being *harassed* by her classmates

// claims that the police were unfairly *harassing* him

2 : to worry and impede by repeated raids

**EMPHASIS ON EXHAUST, PERSISTENCE, REPEATED
CONNOTATIONS OF MULTIPLE APPROACHES TOWARD AN INDIVIDUAL WITH WARNINGS AND NOT A SUBJECTIVE**

INTERPRETATION OF AN ALLEGED LUMP OF UNPROVEN SINGLE ACTS TOWARD PEOPLE DEVOID OF NAMES, WITNESSES, QUOTES – ANY EVIDENCE, WHILE AT A PUBLIC SPACE/MARKET OVER 2 DECADES AKA SECOND CIRCUIT COURT OF APPEALS’ “totality of Lawrence’s conduct”. – alleged unproven and unprovable conduct.
Once again – common sense – everyday people know this.
THIS CASE BELONGS IN FRONT OF A JURY TO HEAR THE DAMAGES.

Veritable **Harassment is repeated, persistent, over time (short or long), systematic, involving courses of conduct – 2 or more acts that involve VIOLATED warnings toward an individual** (WITH KNOWN ACCUSERS) NOT an unnamed list of people or alleged “totality” of people devoid of names and quotes detailing **harassment stories**.

FACT: A **stalking law/crime/offense** has more severe connotations than a **harassment law/crime/offense** because the connotations of **stalking** include a prolonged period of time involving more premeditation. Yet interestingly, the **dictionary term of harass** is more loaded and severe than the **dictionary term of stalk**.

FACT: ONE CAN **STALK** SOMEONE WITHOUT THEM KNOWING BUT YOU CANNOT **HARASS** SOMEONE WITHOUT THEM KNOWING THEY ARE BEING **HARASSED**. Meaning – particular descriptions – quotes from named people are essential in any “totality”.

ONCE AGAIN something to think about:

FACT: A **stalking law/crime/offense** has more severe connotations than a **harassment law/crime/offense** in the “*mind of the average viewer*” because of the connotations of a more prolonged period of time with more premeditation. Yet interestingly, the **dictionary term of harass** is more loaded and severe than the **dictionary term of stalk**. **Stalking** is also a less common behavior and carries a heavier stigma than **harassment** because there are various **types of harassment accusations** happening every day.

NONE OF MY PAST HAS ANYTHING TO DO WITH VARIOUS TYPES OF **HARASSMENT LIKE SEX HARASSMENT, WORKPLACE HARASSMENT, VERBAL HARASSMENT, ETC...**

LIST OF PARTIES

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

TABLE OF CONTENTS

- Cover Page with List of Parties
- Questions for Review
- Table of Authorities
- Citations of Official and Unofficial Reports of Opinions and Orders
- Statement on the Basis of Jurisdiction
- Statement of the Case
- Reasons for Granting the Writ
- Δ Conclusion
- Appendix

TABLE OF CITED AUTHORITIES

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 like **stalking** to a non-stalking arrest.
- The issue of media deploying Course of Conduct legal terms like **stalking** to past investigations resulting in no Probable Cause for any type of arrest cases long closed.
- The issue of courts comparing let alone conflating **Second Degree Breach of Peace** to **Third Degree Stalking**.
- The issue of media and courts referring to long past Incident Reports devoid of any Probable Cause for any type of arrest as **stalking**. YES – media being allowed to refer to alleged past complaints of **“getting into personal space”** KNOWN by the media to NEVER result in any police action as **stalking!!!!**
- The issue of courts comparing the **dictionary definitions of stalking** to **legal definitions of stalking**.
- The issue of conflating a history of someone’s personal run-ins with people/complaints with a crime that he/she was NEVER investigated for, let alone NEVER arrested for, let alone thus NEVER convicted of.
- The issue of conflating unproven and unprovable past complaints to a **generalized stalking behavior** or as the Second Circuit Court of Appeals write **“totality of Lawrence’s conduct”** (not even written alleged conduct for it is unproven and unprovable).

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**

the petition and is

[X] reported at January 7, 2021

The opinion of the United States district court appears at **Appendix A**

the petition and is

[X] reported at January 9, 2020

STATEMNT OF THE BASIS OF JURISDICTION

The date on which the United States Court of Appeals decided my case was **JANUARY 7, 2021.**

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: **MARCH 10, 2021.**

and a copy of the order denying rehearing appears at Appendix D

STATEMENT OF THE CASE

On March 5, 2018, I Pro Se James Lawrence was called by Officer James Sullivan of the Westport Connecticut Police Department to turn myself in for an alleged (now never proved) **One Count of Second Degree Breach of Peace** from an alleged November 5, 2017 incident – yes 5 months earlier. The alleged (never proven) **One Count of Second Degree Breach of Peace** behavior was written by the investigating and arresting officer to be allegedly a one-time act of *“follow and stare or get into personal space”* at a local public grocery market. As the warrant shows there was no words at all between myself and the mystery woman who has not made herself known or provided a Sworn Written Statement or pressed for any charge. The call to police on November 5, 2017 was from the woman’s boyfriend about me approaching the woman’s car to ask her a question. This woman became startled and drove away before any words were spoken as submitted Dispatch Tapes Exhibit proves.

On March 5, 2018 I came to the police station as directed and turned myself in and paid \$500 of a \$5,000 bond. On March 11, 2018 initial news reported on the arrest in tune with the Official Police Press Release – ***“Man arrested for allegedly following a woman around a market”***. However, 10 days later on March 14, 2018, the day of my arraignment, Defendant Altice USA/News 12 Connecticut and their reporter Mark Sudol wanted to take the matters into a new extremity based on his seizure of the Arrest Warrant. **It is this Arrest Warrant narrative that is the core of the issues of this case.**

Defendant Altice USA/News 12 Connecticut interpreted the Arrest Warrant for **One Count of Second Degree Breach of Peace** as ***“Arrested for Stalking Several Women”***. On March 14, 2018, Altice USA/News 12 crafted stories that ran every hour for 2 days about me being ***“Arrested for Stalking Several Women”***. A call from my lawyer on the second day and Altice/News 12 ceased its coverage of me and attempted to cleanse the internet of their material removing all coverage from their website. Though this remedial act was appreciated, the extreme narrative had gotten out into the world at large and other news crafted similar news stories because of the actions of Altice/News 12 reporter Mark Sudol depicting me as a **stalker**.

Yes – the need for a proper Decision is in order because other media are picking up on the unproven and unprovable narrative of me ***“stalking or harassing women”*** in the past despite no previous arrest and despite the arresting officer himself never using either Course of Conduct terms and laws **Stalking and Harassment**. I now have a federal case James Lawrence v. Hearst Communications that addresses how Hearst/Westport News ran with a somewhat similar type of story as James Lawrence v. Altice USA but Hearst/Westport News has refused to take their material down for 3+ years. Hearst and as of now the Connecticut District Court is relying on the **outrageous and evasive Second Circuit Court**

of Appeals Decision of James Lawrence v. Altice which entertains no necessary responsibility by Altice for causing utter havoc and perpetual damages. Second Circuit Court of Appeal Judge Debra Ann Livingston continues Connecticut Judge Stefan Underhill's gross **conflating** Course of Conduct **statute definitions of stalking** let alone simplistic and under-developed **dictionary definitions of stalking** with the warrant's wording of the **Second Degree Breach of Peace** arrest - "*follow and get into personal space*", gross connotations that continues to threaten my life into the future devoid of any proper evidence. I am a man with a clean record regarding the material at hand (as the warrant shows – never arrested in Connecticut before and never arrested in regard to the material written about in the warrant – Westport Ct. incidents of never proven and unprovable "*follow and get into personal space*" at a market or café.) and yet this Altice Decision from the Second Circuit Court of Appeals Judge Debra Ann Livingston will forever paint me as a **stalker and harasser**.

The Arrest Warrant mentions past long closed "cases" or better termed "calls of concern" from past women to the police that resulted in thorough investigations that **never** resulted in any kind of arrest – only mere warnings for they were one-time alleged acts of a **"suspicious person"** - as the Police Incident Reports actual wording show and not **stalking or harassing**. YES - the only result was police Incident Reports showing a **"suspicious person"** that needed to be warned. These long past one-time warnings were respected and I never saw or attempted to speak to any of these women again. In the Arrest Warrant for the March 5, 2018 arrest for **One Count of Second Degree Breach of Peace** the police NEVER deploy the words **stalk or harass** in regards to anything ever. The police use the words "*follow and stare or get into personal space*" to describe the unproven and unprovable behavior for the arrest. I argue that the police deployed this terminology so to avoid using the more extreme Course of Conduct behavior of **stalk or harass**. Deposition of the Warrant writing officer confirms my belief for he said he never thought of using the terms **stalk or harass**. I argue my arrest had to do an alleged (never proven) **one-time never prewarned act of Second Degree Breach of Peace** at a grocery store of **unintended** "*getting into personal space*". There was no Course of Conduct ever with any of the past complaints.

This behavior written about in the arrest warrant is accurately described as unproven and unprovable not only now due to the fact that Due Processes of Law had happened resulting on NO arrest but also at the time of the seizure of the Arrest Warrant because the Altice/News 12 reporter read in this very Arrest Warrant that I had no criminal history. **Meaning – the reporter knew any allusions to past "cases" were long closed resulting in no Probable Cause for any kind of arrest and his opportunistic decision to deploy extreme characterizations like stalking would inevitably be unprovable and thus libel and slander.** Since there were prior police investigations, this makes the characterizations of **stalking** slander and libel. If a reporter was reporting on a

woman's feelings at the time of the accusation then that would entail less evidence and room for speculation because there were no investigations. But there are no quotes from any woman from the arrest warrant.

This is the time we are in – inverted reasonings via conflated interpretations and narratives. BUT some words are more dangerous than others much like some crimes are more dangerous than others yet Second Circuit Court of Appeal Judge Debra Ann Livingston refuses to bring the everyday issues in front of a jury of everyday people. We are in an extreme zeitgeist unlike any other time – a perfect storm of aggressive women accusing men of **harassment or stalking** (not my case) coupled with the effects of the Internet – a perfect storm to destroy a person thus sticking to actual wording of arrest warrants is essential. Allowing any man to be painted as a **stalker or harasser** without any proper evidence – proper evidence in the form of actual police arrests for **stalking or harassment**, or police using these **stalking or harassing** terms in a warrant, or an actual named women deploying the **stalk or harass** terminology is damaging in ways that deserve to be heard from concerned people so to end the persecution – the current zeitgeist. When something like this happens to you your life essentially ends and you are in need of a new name.

I filed my Complaint against Altice USA/News 12 in December of 2018 and received a very controversial, short-sighted, unempathetic Decision in January 2020 from Connecticut Judge Stefan Underhill. I appealed to the Second Circuit Court of Appeal which evaded most of the arguments put forth to them not even affording me an Oral Argument, and received a Decision that only endangers my life even more despite having a clean record regarding the accusations hurled against me. I believe a Pro Se man taking this prodigious and socially redeeming task should be respected and not disrespected for being Pro Se. I have perspectives (hence my numerous Exhibits) from a trained linguist that no lawyer could ever present as effectively. What does it take for common sense to reign and when does the madness against me end with those responsible properly punished for causing other media to persecute me? When does the madness end and those responsible for what Judge Stefan Underhill admitted was “*unfair*” and “*outright false*” reporting properly being a legal symbol to halt any further persecution and inevitable lawsuits.

REASONS FOR GRANTING THE CASE

We read every day about new **harassment accusations**. **Harassment** is a very broad term that people throw around in many types of situations. **Stalking** is more easily defined. Have we ever heard of someone being reported on as **stalking or harassing** devoid of a woman using the terms **stalk or harass**? Have we heard of someone accused by media of **stalking and harassing** devoid of someone (woman) actually being quoted using this **stalking or harassing terminology**? Have we heard of someone accused of **stalking** from an arrest that never involved **stalking** or have police themselves deploying this **stalking terminology**?

This case is ideal to set proper parameters when reporting on stalking or harassment because my case has absolutely nothing to do with the current MeToo zeitgeist – sex harassment. Reporting on **stalking or harassing** devoid of police arrests for such behavior best have proper news story descriptions of the who what where when why how and how long when flirting with the VERY LOADED general terms **stalk or harass**, for merely using these unproven and unprovable general terms of **stalk or harass** devoid of actual **stalking or harassing** arrests allow the average reader to imagine whatever they believe the general term **stalk or harass** subjectively conjures up.

YES – this case is very very very significant and important for the current zeitgeist. How many more men’s lives are we going to watch be destroyed devoid of any proper evidence? How much more Guilt by Accusation are we as mature culture going to allow the media to practice.? When are we going to address the yearly rises of the new term called virtue signaling? When are we going to address the many also increasing obvious cases of victim playing that are being exploited by the opportunistic media? When are we as an educated culture going to address the increase in politically motivated inverted reasoning replete with unscientific conflated narratives? When are we as fair and balanced culture going to address the effects of Cancel Culture and the nefarious tactics to online shame to get people fired from their jobs and rendered unemployable?

I believe **Judge Brett Kavanaugh should review this case** because he is a victim of extreme unproven and unprovable accusations involving a woman that go back years – decades and can relate to the Damages. The alleged incidents of me Pro Se James Lawrence *“getting into personal space”* at a public café or market written about in **Section 11 of the warrant** are also referring to decades old complaints/calls of concern, calls of concern to the police that were FULLY INVESTIGATED and resulted in warnings/no arrests of any kind and with no complainant pressing any kind of charge.

AND GIVEN THE FACT THAT OTHER MEDIA PICKED UP ON THIS EXTREME ALTICE/NEWS 12 CONNECTICUT “stalking several women”

INTERPRETATION OF THE WARRANT, how a proper trial or temperate settlement to deter further slanderous and libelous (unproven and unprovable) cluster bomb persecution did not happen is a huge injustice. **THIS CASE IS VERY IMPORTANT BECAUSE ANOTHER CASE – JAMES LAWRENCE V. HEARST COMMUNICATIONS PARROTED THE DECISION FROM THE SECOND CIRCUIT COURT OF APPEAL**, where this time Hearst used the Course of Conduct wording **HARASS** as opposed to **STALK**, thereby showing that a proper Decision for someone never arrested for let alone convicted of anything let alone NEVER CHARGED OR ACCUSED BY POLICE (backed up by Deposition of warrant writing officer) OR ACCUSED BY A COMPLAINANT (any Incident Report) of **STALKING or HARASSING** be established. **THE ONLY ONES ACCUSING ME OF STALKING OR HARASSING IS THE MEDIA.**

[Note: The 2019 Email Harassment arrest (only arrest for a **Harassment** Course of Conduct crime) happened after the 2018 media coverage and issues at hand – a one-time arrest a year after the News 12/Altice coverage, and was deemed irrelevant by Judge Underhill because of it happening after the slander and libel and most certainly because of the slander and libel for I had a target put upon me. There is no conviction of this Email harassment arrest and never will be given the facts of the case – Felony Tampering with Evidence that should be resolved by Sept. 2021 now that courts are running again.]

ANOTHER TOP REASON FOR GRANTING THE CASE IS BECAUSE THE SECOND CIRCUIT COURT OF APPEAL IGNORED BASIC FACTS AND BASED THEIR REASONING ON UTTER FICTION.

FOR EXAMPLE:

SECOND CIRCUIT COURT OF APPEALS:

**APPEAL SUMMARY ORDER QUOTE – Judge Debra Ann Livingston
Case 20-393, Appendix A, 01/07/2021, Page 5.**

¹ Compare Conn. Gen. Stat. § 53a-181e(a) (third-degree stalking) (“A person is guilty of stalking in the third degree when such person recklessly causes another person to reasonably (1) fear for his or her physical safety, or (2) suffer emotional distress. . . by wilfully and repeatedly following or lying in wait for such other person.”), with *id.* § 53a-181(a) (second-degree breach of peace) (“A person is guilty of breach of peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: Engages in . . . threatening behavior in a public place.”).

WHY IS THE COURT NOT QUOTING THE ENTIRE **SECOND DEGREE BREACH OF PEACE STATUTE** IN TUNE WITH THE OFFICER’S WORDING AND OBVIOUSLY WHAT HE ARRESTED ME FOR WHICH IS NOW VERIFIED FROM HIS DEPOSITION?

Deposition of Arresting Officer James Sullivan:

21 Q. Okay. There are six parts of the
22 second-degree breach of peace statute, Officer. Which
23 part of this one count of second-degree breach of peace
24 did you arrest me for? Did it fit under section 1, 2,
25 3, 4, 5, or 6?

Page 26

1 MR. YUHAN: Objection to form.

2 A. It was being referenced to part 6.

FACT: I was arrested for #6 “creates a physically offensive condition” and NOT #1 “... threatening behavior in a public place”, nor #2, nor #3, nor #4, nor #5.

2005 Connecticut Code - Sec. 53a-181. Breach of the peace in the second degree: Class B misdemeanor.

Sec. 53a-181. Breach of the peace in the second degree: Class B misdemeanor. (a) A person is guilty of breach of the peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: (1) Engages in fighting or in violent, tumultuous or threatening behavior in a public place; or (2) assaults or strikes another; or (3) threatens to commit any crime against another person or such other person's property; or (4) publicly exhibits, distributes, posts up or advertises any offensive, indecent or abusive matter concerning any person; or (5) in a public place, uses abusive or obscene language or makes an obscene gesture; or (6) creates a public and hazardous or physically offensive condition by any act which such person is not licensed or privileged to do. For purposes of this section, "public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests.

The Officer's entire Deposition verifies there NEVER was any threatening from anything in my past as well. So how can the Second Circuit Court of Appeal now conflate **Third Degree Stalking** with **Second Degree Breach of Peace**? Where is the word **stalk** in any of this statute let alone part #6?

OUTRAGEOUS - AN ATTEMPT TO CLEAR UP THIS CONFUSION WITH THE SECOND CIRCUIT COURT OF APPEALS RESULTED IN NO ADMISSION OR REFERENCE TO THE MIXUP AND NO GRANTING OF PETITION FOR REHEARING. IT IS TIME THE U.S. SUPREME COURT TO FINISH THE JOB.

TABLE OF APPENDIXES

A - Decision of Connecticut District Court Judge Stefan Underhill

B - Decision of Second Circuit Court of Appeals Judge Debra Ann Livingston

ADDITIONAL DEEMED SIGNIFICANT:

C - Current FBI Criminal Background Check

D - Petition for Rehearing that was Denied by Second Circuit Court of Appeals

E - Deposition of Warrant writing Officer James Sullivan regarding Warrant at issue within Petition for Rehearing as Exhibit JJJ.

RECOMMENDED REVIEW OF PREVIOUS ECF FILINGS:

- Submitted Brief and Reply Brief Table of Contents

- List of Submitted Exhibits

- Social Scientific Presentation of 10 Major English Dictionaries

- Comparisons to Dictionaries from Foreign Languages/Cultures

- Legal Dictionaries

- Legal Statutes

- Encyclopedias

- Anti-Stalking Organizations Literature

- Psychology Dictionaries

- Comparisons to Various Actual Stalking Arrests

- Common Sense

CONCLUSION

It is about time **MENS RIGHTS** are given a proper forum with detailed well-analyzed and debated issues. ANYONE WHO THINKS WHAT HAS HAPPENED TO ME WILL JUST FADE AWAY IN TIME IS NOT QUALIFIED TO BE A JUDGE. MY DAMAGES ARE REAL AND ONGOING NO MATTER WHERE I AM. I AM FOREVER PROFILED IN A NANOSECOND. Other cases with traumatic Damages like for example - having a gun pointed at you one time, can be cured through counseling and therapy, but I HAVE A GUN CONSTANTLY BEING POINTED AT ME BEING GOOGLED AT ANY TIME BY ANYONE – potential friends, employers, clubs, hotels and hostels, friends of friends, family of friends, ETC....

IT IS TIME FOR A PROPER CASE ABOUT THE WICKED RESULTS OF THIS WORST EVER GENDER WAR ZEITGEIST TO SHOW WHAT REALLY HAPPENS IN DETAIL WHEN WE ALLOW OVERLY LOOSE FREEDOMS TO ACCUSE AND PERSECUTE AND **CONFLATE** FREE OF EVIDENCE (LET ALONE GOING EXTREMELY BEYOND POLICE ACTIONS AND WORDS).

IT IS TIME FOR A PROPER CASE THAT SHOWS WHAT REALLY HAPPENS IN DETAIL WHEN WE ALLOW SUBJECTIVE INTERPRETATIONS OF LAW AND LANGUAGE TO BE REPORTED ONLINE AND NEVER PROPERLY PUNISHED TO DETER FURTHER UNPROVEN AND UNPROVABLE PERSECUTIONS.

IT IS TIME WE ALLOW A JURY OF EVERYDAY PEOPLE LIVING IN THE TRENCHES OF THE ZEITGEIST TO HELP FULLY DEFINE WHAT **STALKING** MEANS TO “*THE MIND OF THE AVERAGE VIEWER*” AND NOT JUST A JUDGE.

IT IS TIME ALL MY EVIDENCE OF HOW ALTICE USA/NEWS 12 DID NOT “*DULL IMPACT*” WITHIN THEIR REPORTS OF THEIR DEEMED BY DISTRICT JUDGE UNDERHILL “*UNFAIR*” AND “*OUTRIGHT FALSE*” HEADLINES BUT RATHER ADDED “*IMPACT*”.

I respectfully ask that my Brief and Exhibits, Reply Brief and ALL EXHIBITS, and Petition for Rehearing be properly reviewed. I ask this because this most important court of the country and far-reaching court of the country owe other men from around the country to know what Pro Se James Lawrence was forced to ingest for 4 years and counting at age 52, 53, 54, 55, etc... at a time in his life he should be enjoying a family life after a life of staying out of trouble. I ASK THIS CASE BE ACCEPTED BY THE US SUPREME COURT FOR ALL MEN FROM ALL DISTRICT COURTS AND NOT JUST NEW YORK notorious for their identity politics.

James Lawrence
DATE OF REVISED PETITION – July 23, 2021

CERTIFICATE OF COMPLIANCE

JAMES LAWRENCE

v.

ALTICE USA

As required by Supreme Court Rule 33.1 (h), I certify that the Petition for Writ of Certiorari contains **40 pages/9,000 words**, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1 (d).

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

Executed on JULY 23, 2021.

A handwritten signature in black ink that reads "James Lawrence". The signature is written in a cursive style. Below the signature, there is a horizontal line that starts under the "J" and extends to the right, ending under the "e" of "Lawrence".

APPENDIX

- **A:** Connecticut District Court Decision - Judge Stefan Underhill
- **B:** Second Circuit Court of Appeal Decision - Judge Debra Ann Livingston

ADDITIONAL DEEMED SIGNIFICANT:

- **C:** Current FBI Criminal Background Check
- **D:** Petition for Rehearing that was Denied by Second Circuit Court of Appeals
- **E:** Deposition of Warrant writing Officer James Sullivan regarding Warrant at ~~with~~ Petition for Rehearing as Exhibit JJJ.