

DO WE STILL HAVE A FIRST AMENDMENT IN AMERICA?

October 27, 2015

By Editor:

That answer will be coming from the First District of the U.S. District Court in Portland, Maine from the case of Doyle v. Town of Scarborough, et al.

Either we have Free Speech to petition our government, or we don't. Either you're pregnant or you're not. Which is it? Judge Woodcock will make that decision soon...stay tuned

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

—)	
MICHAEL DOYLE)	
)	
Plaintiff)	
)	
v.)	Civil Action No.:
)	2:15-cv-00227-JAW
TOWN OF SCARBOROUGH and)	
MEMBERS OF THE TOWN COUNCIL)	
INDIVIDUALLY)	
)	
Defendants)	

OPPOSITION TO DEFENDANT'S MOTION TO DISMISS

NOW COMES Plaintiff Michael Doyle and Opposes Defendant's Motion to Dismiss.

MUNICIPAL POLICY OR CUSTOM
PUBLIC FORUM

Plaintiff was speaking at the Public Forum portion of the Council meeting on a non-agenda item. Plaintiff did not exceed the time limit allowed for the Public Forum portion of the meeting. Plaintiff did not cause a disruption at the meeting. Plaintiff did not interfere with the rights of other speakers. Plaintiff did not disrupt the Council's ability to conduct business. Cutting

Plaintiff was content based and a violation of the Supreme Court decision cited in the Complaint. Finally, once again this was Public Forum where the speaker can say whatever he wants.

LIABILITY OF OTHER COUNCILORS

All of the Councilors are sworn members of the Scarborough Town government and as such have an obligation to the residents of the Town to conduct the affairs of the Town according to the laws of the United States, the State of Maine, and the Town of Scarborough. The failure of the Councilors to recognize that a violation of the First Amendment was taking place, not only in their presence but with their approval due to their failure to intervene and point out the violation to the Chairwoman, the Town Manager, Thomas Hall, and the Sgt. of the Scarborough Police designated to remove Plaintiff from the meeting was a violation of Plaintiff's First Amendment Rights.

CLAIM FOR RELIEF

Plaintiff seeks relief in a monetary amount sufficient enough to punish the Defendant for the violation of Plaintiff's rights under the First Amendment and sufficient enough to discourage Defendant from repeating this misconduct and to give notice to every other local government body that

similar misconduct will receive the same or greater punishment.

Consequently, Defendant's Motion to dismiss should be denied.

MICHAEL DOYLE,
Pro se

Dated: October 27, 2015

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