

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT
EASTERN DIVISION

FILED
JAMES BONINI
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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST DIV. CIVIL
Civil case no 3:07-cv-00003
Judge
Magistrate

Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506

Plaintiff,

Jury Demand

v.

John McConagha and
Clark County Library et,al
Springfield, Ohio 45506

Defendants.

OBJECTION TO THE MAGISTRATES RECOMMENDATIONS
AND

PLAINTIFF'S RENEWED MOTION FOR A "EMERGENCY"
RESTRAINING ORDER

On January 5, 2007, Chief Magistrate Judge Michael R. Merz recommended that the Motion for Temporary Restraining Order be denied without stating the reason why a citizen continues to be barred from a public library.

IN SUPPORT OF THE FOREGOING

On January 5, 2007, Questions on the record were asked and answered of the defendants attorney and the Judge surrounding Wayne Doyle's unconstitutional ban from a public library. The following record of facts will speak for the truth,

IN THE UNITED STATES DISTRICT COURT

Wayne Doyle

FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

October 23,2006, Public records request: This is a public information request for a copy of any and all reports,documents,recordings in your care. There materials should include but not be limited to:

- (1) Angie Jones March 20,2005 written detailed statement.
- (2) Angie Jones recorded statement taken by John McConagha on or about March 20, 2005.

October 31,2006, Defendants answer:

- (1) There is **no written statement** from Angie Jones.
- (2) Angie Jones **recorded statement** from 3/21/05 is inclosed. John McConagha,

November 6,2006, Public records request: Angie Jones tape recorded statement taken by John McConagha on March 20,2005.

November 16, 2006, Defendants answer:

- (1) **We do not have a recorded statement from Angie Jones.**

November 16,2006, Public records request: (1) A copy of the disorderly conduct charges brought against Wayne Doyle as defined under ORC 2917.11 in the Library Code of Conduct which states:

- (1) Patrons shall not engage in conduct which states: Patrons shall not engage in conduct which interferes with library use including but not limited to, impeding access to library property; fighting; using abusive menacing, insulting, obscene , or profane language; and verbal and or physical propositions or threat
- (2) A copy of any criminal charges filed against Wayne Doyle by the Clark County Library for harassing Angie Jones.

- (1) DEFENDANTS ANSWER: **NO CHARGES FILED**

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JANUARY 5, 2007 TELEPHONE CONFERENCE

*Attorney Ross: **THERE HAS NEVER BEEN A TAPE RECORDING.***

*Wayne Doyle: I DON'T KNOW A MRS JONES PROBABLY NEVER SEEN
HER BEFORE.*

*Judge Merz: THE ONLY EVIDENCE WE HAVE IS THAT MC CONAGHA
SAID IT WAS MADE.*

*Wayne Doyle: SO DO WE GO ON MC CONAGHA STATEMENT OR THE
WITNESS STATEMENT?*

Judge Merz: WE DON'T HAVE A WITNESS STATEMENT.

Wayne Doyle: CAN MC CONAGHA BE A WITNESS?

*Judge Merz: NO...HE'S NOT A WITNESS OF WHAT HAPPENED IN
THE LIBRARY.*

*Wayne Doyle: DOES SHE UNDERSTAND THAT THERE WAS NO ONE
ELSE IN THE MEETING OR IN THE HEARING EXCEPT ME AND
ATTORNEY ?*

Judge Merz: SHE UNDERSTANDS THAT, AND I DO TO.

*Judge Merz: AS FAR AS I KNOW **THEIR ISNT ANY OTHER WITNESSEXCEPT Angie Jones.***

Wayne Doyle: DOES THE CONSTITUTION ALLOW A PERSON TO FACE THE ACUSOR?

Judge Merz: IN A CRIMINAL CASE.

Judge Merz: BARRED FROM A PUBLIC PLACE ON GROUNDS OF HARRASSING A PATRON.

Wayne Doyle: HOW DO THEY KNOW IT WAS ME?

Judge Merz: LAWYER CAN YOU ANSWER THAT ?

ATTORNEY ROSS NEVER ANSWERED THE QUESTION.

MY QUESTION TO THIS COURT IS: IF NO ONE HAS COME FORWARD ON THE RECORD TO IDENTIFY ME AS THE MAN WHO HARRASSED ANGIE JONES AND FOLLOWED HER AROUND, HOW CAN THE LIBRARY OR THE COURT CONTINUE TO KEEP ME BARRED OUT OF THE LIBRARY FOR ONE MORE DAY WITHOUT PROOF THAT IT WAS ME WHO HARRASSED ANGIE JONES? THE PUBLIC RECORD'S REQUEST SPEAK FOR IT SELF.

Note: Angie Jones has not come forward to accuse Wayne Doyle.

There was no written ,recorded ,statement identifying me as the one who harassed Angie Jones.

IRREPARABLE HARM

By allowing the Clark County Library to continue to bar Wayne Doyle from entering into the library will show the world that basic human rights For the Blackman ,Whiteman,Brownman,Yellowman is worth nothing if a Unfair Blackman, Whiteman,Brownman,Yellowman is in the position to be a Judge for MANKIND. This kind of humanbeing is acting out his own discriminations.

Judge for mankind

JUDGE MERZ DID NOT CONDUCT A FAIR NOR IMPARTIAL CONCERENCE.

WHEREVER I ASKED THE DEFENDANTS ATTORNEY A QUESTION THE JUDGE WOULD ANSWER FOR THEM.

DURING THE ENTIRE CONFERENCE THE ATTORNEY ANSWERED MAYBE THREE TIMES THE QUESTION I ASKED OF THEM.

JUDGE MERZ ANSWERED AT LEAST TWENTY TIMES FOR THE DEFENDANTS.

I WOULD LIKE TO ASK THIS COURT WHICH OF THE FOLLOWING IS BEING ADMINISTERED IN THIS CASE:

- (1) EQUAL PROTECTION UNDER THE LAW*
- (2) CIVIL RIGHTS FOR ALL*
- (3) 3.*

**PLAINTIFF WAYNE DOYLE MOTIONS THIS COURT FOR A
IMMEDIATE RESTRAINING ORDER TO PROTECT HIS
CONSTITUTIONAL RIGHTS.**

XSW4

WAYNE DOYLE
Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF OHIO EASTERN DIVISION

SERVICE

Mailed to John McConagha this 11th day of January 2007, via
U.S mail , postage paid.

John McConagha
201 Fountain Avenue
Springfield, Ohio 45506

Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506
