

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

United States Courts
Southern District of Texas
FILED

OCT 03 2024

Nathan Ochser, Clerk of Court

Dr. John Emil Petersen III,
Plaintiff,

v.
META, INC., *et al.*,
Defendants,

CIVIL ACTION NO. 2:24-CV-00038

MOTION TO APPEAL

 COPY

The district court should grant the motion to appeal the injunction filed by the plaintiff (Dr. John Emil Petersen III) to a higher court, since the claims include events which occurred in multiple geographic locations including but not limited to Nueces County, Bexar County, and Pima County, Arizona. The document in question (which all parties agree has forensic time stamp of February of 2011) which gives defendants motive for all claims was co-signed by Jack Andrews, who has been arrested in Bexar County, Texas, for larceny. "The Social Network" was released later that year, in 2011, immediately after the initial public offering of Facebook, Inc., despite what some random internet user has claimed on "imdb."

The facts that plaintiff sought intellectual property through appropriate channels, less than one year had passed, and neither plaintiff's signature nor plaintiff's verbal authorization were neither sought nor acquired before Facebook, Inc had instituted plaintiff's intellectual property as monetization policy yield motive for all claims – both claims which have a criminal component and those which are entirely civil. Plaintiff suffered financially, psychologically, and at times, physically, on numerous occasions, irreparably, as a result of defendants' blatant disregard for the law. All claims will be discussed at greater length below.

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I. Jurisdiction.

Parties are not completely diverse. Mark Zuckerberg has been seen by credible witnesses within the city limits of Corpus Christi, Texas within the past year. He has no known business interests in said city limits. Plaintiff sought a federal restraining order from the US Supreme Court against defendants in 2022, while residing in Tucson, Arizona. Since then, in Corpus Christi, Texas, numerous criminal racketeers, who received payment from defendants, have been arrested in said city limits. The fact that Mark Zuckerberg is a citizen of The USA, residing in California, is irrelevant, considering his criminal behavior against the plaintiff extends well beyond California's borders, including but not limited to, Arizona and Texas. The location where META, INC. has incorporated is irrelevant, considering events listed in the claims occurred in Texas. Further, Title IX of the Organized Crime Control Act of 1970 gives basis for federal jurisdiction automatically.

II. Regarding Defendants' Section B. on Proceedings

As per The Fifth Amendment of The US Constitution, at the time, 2011, aforementioned intellectual property, forensically timestamped February 2nd, 2011, was sole property of John Emil Petersen III and Jack Andrews. Just compensation was not provided to the plaintiff by the defendants. As per The Seventh Amendment of The US Constitution, plaintiff has an inalienable right to have his case heard by a jury, since the claims involve matters exceeding twenty dollars. The Fourteenth Amendment of The US Constitution was listed in claims, by matter of due process, because defendants made numerous ad hominem arguments – which were false accusations, slander, and libel – publicly, attempting to revoke the plaintiff's Seventh Amendment right in the court of public opinion. Defendants acknowledge their RICO law violations, aggravated identity theft, and mail tampering, regarding plaintiff, but do not offer any argument for why said criminal behavior is not grounds for restitution.

III. Regarding Defendants' Section C. on Plaintiff's Allegations, Legal Claims, and Requested Relief

Plaintiff does not merely believe – he knows – defendants acquired his intellectual property without his authorization, leading to a monetization policy which satisfied Morgan Stanley enough to underwrite the initial public offering of Facebook, Inc., recently restructured as META, INC, after plaintiff threatened to sue defendants in January of 2021. **Plaintiff is prepared to subpoena key executives of Morgan Stanley** involved in the initial public offering, despite defendants' best efforts to alter reported dates in public periodicals. Further, plaintiff is prepared to subpoena the **patent lawyer** with which Chris Marrou corresponded, without plaintiff's authorization in February of 2011. Plaintiff is prepared to subpoena **relevant parties at both Google and Yahoo**, regarding their respective mail servers.

Racketeering accusations by the plaintiff against the defendants can be validated by financial transaction records. **Plaintiff is prepared to subpoena key employees at Segment**, a company based out of San Francisco, California, involved in laundering money to racketeers hired by META, INC., discretely. Defendants acknowledge yet do not deny motive for slander, libel, destruction of wealth, larceny, intellectual property infringement, defamation of character, character assassination, racketeering, stalking, identity theft, hacking, and mail tampering. **Plaintiff is prepared to subpoena experts on valuation**, regarding plaintiff's recent business endeavors, the **district attorney in Bexar County**, regarding larceny, **the aforementioned lawyer** who failed to secure the intellectual property for plaintiff before defendants acted in haste, **journalists involved** in slander, libel, defamation of character, character assassination of plaintiff, **known associates of Mark Zuckerberg** involved in stalking and hacking of plaintiff, **police officers of Corpus Christi, Texas** involved in arresting racketeers and identity thieves, neighbors of plaintiff in Corpus Christi who are known associates of those arrested for crimes involving aggravated identity theft, and **post**

office employees at 4801 Everhart Rd, in Corpus Christi. The facts that many of these key witnesses reside in Corpus Christi, Texas, and events mentioned in plaintiff's claims occurred in Corpus Christi, Texas is grounds for jurisdiction in the Southern District of Texas, Corpus Christi Division.

IV. Regarding Legal Standards in Defendants' Section E

A. Regarding Defendants' objections to Plaintiff's Pleading

Plaintiff's educational background is not under question – his post graduate education is common knowledge in this country and several different foreign countries, including but not limited to Spain, Germany, and Brazil. Defendants argue their arguments are “stringent,” implying the plaintiff's arguments are not, while they claim “plaintiff's well-pleaded factual allegations in complaints are to taken as true.” Legal conclusions ought to be left to a jury, by The Seventh Amendment of The US Constitution. Furthermore, **plaintiff is prepared to subpoena attorneys in Arizona and Texas** with whom he has corresponded, who have endured extortion, and in some cases, have had windows of their law offices broken by defendants.

B. Regarding Defendants' request to dismiss by Rule 12(b)(2)

Crimes against the plaintiff in Corpus Christi, Texas – as can be seen in **Figures 1(B) – 1(F)**, where **Figure 1(A)** is the plaintiff's vehicle upon first moving to Corpus Christi, in the winter of 2022 – by racketeers hired by the defendant give grounds for jurisdiction alone. Plaintiff is prepared to subpoena neighbors, regarding these events, along with their known associates involved in not only aggravated identity theft but other racketeering schemes. Financial transaction records confirm racketeering.



Figure 1. *Property Damage Incurred by the Plaintiff by Racketeers Hired by the Defendants. (A) shows the plaintiff's vehicle in early 2022, when the plaintiff first moved to Corpus Christi, Texas. It is the first picture acquired chronologically. (B) shows evidence of the plaintiff's hood being pried up unlawfully. Further, the paint had been sabotaged. At least one other local citizen had the same problem and decided to join the local police academy, as a result. (C) shows evidence of fuel which had been tampered with unlawfully. (D) shows evidence of entryways to the plaintiff's post office, which he purchased a PO Box, broken in to. (E) shows a wire to the plaintiff's ignition coil which had been severed unlawfully. (F) shows a critical fluid hose which had been severed.*

C. Regarding Defendants' request to dismiss by Rule 12(b)(6)

Every single one of the plaintiff's claims involve conscious decisions and actions the defendants took which they intentionally designed to cause unnecessary harm to the plaintiff. The initial infringement of intellectual property in 2011 is financial motive to discredit every single one

of the plaintiff's additional claims. Plaintiff suffered grave financial loss, psychological stress, and physical injury in at least two instances. Incessant racketeering since 2011, 24 hours per day, has left the plaintiff no choice but to litigate. Witness testimony, firsthand accounts, and criminal records of payed associates of META, INC. and Mark Zuckerberg provide not only merit to the case but sufficient pleading – not to mention, the list of those to be subpoenaed is provided in **Section III.**

V. Regarding Venue

The Southern District of Texas, Corpus Christi Division, is an appropriate venue, due to the sheer number of crimes involving racketeering against the plaintiff within Nueces County, Texas. However, if the court should decide a higher court is more appropriate, the plaintiff is prepared to secure the necessary subpoenas.

VI. Request to Add Property Damage to List of Claims

Figure 1 displays multiple thousands of dollars of damage to plaintiff's vehicle by racketeers hired by defendants, as evidenced from financial records, as can be gathered by the FDIC. **Figure 1(B)** displays the hood of the plaintiff's vehicle having been pried up unlawfully. **Figure 1(C)** displays the plaintiff's fuel having been tampered with, after removing the gas tank. **Figure 1(E)** displays an unlawfully severed wire which led to the ignition coil of the plaintiff's vehicle. **Figure 1(F)** displays an unlawfully severed fluid hose leading to the undercarriage of the plaintiff's vehicle, which could also be construed as reckless endangerment.

VII. Regarding Mail Tampering

Figure 1(D) displays an entryway at the plaintiff's local post office in Corpus Christi, Texas on Everhart Rd. Plaintiff had two six month contracts for a PO Box, which receipts

can prove. Furthermore, the lock on the PO Box 60256 had obviously been tampered with by racketeers from Virginia with known financial affiliation with defendants.

VIII. Recommendation to the Court

Regarding reconsidering to hear the case, transferring to San Antonio Division, or deferring to a higher court, the plaintiff recommends deferring to a higher court. Multiple districts are involved in multiple different states, including but not limited to Arizona and Texas, and an extraordinary amount of money is involved. The laundering of funds at a federal level in matters of federal RICO laws (Title IX of the Organized Crime Control Act of 1970) also suggests that a higher court would be more appropriate.

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October 3rd, 2024