

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

KEVIN SNOWDEN
4195 BLUESTEM DR
LEBANON, OH 45036

OLEY SNOWDEN
1962 FIESTA DR
LEBANON, OH 45036

Plaintiffs,

v.

AMY BREWER
CITY OF LEBANON
50 SOUTH BROADWAY
LEBANON, OH 45036

Defendant

Case No. 1:21-cv-428

Judge

COMPLAINT

INTRODUCTION

1. Plaintiffs bring this action for a declaratory judgment, injunctive relief, and violation of 42 U.S.C. §1983.
2. This case arises out of the unconstitutional actions of an elected official in “blocking” users from her Facebook Page. Plaintiffs allege that this violated their right to free speech under the United States Constitution.
3. Defendant acted under color of state law in maintaining her Facebook Page and banning Plaintiffs from that page; Defendant's actions, violated Plaintiffs’ right of free speech under the First Amendment to the United States Constitution

PARTIES

4. Kevin Snowden is the co-owner of a business in Lebanon, Warren County, Ohio. Kevin Snowden has a residence at 4195 Bluestem Dr, Lebanon, OH 45036.

5. Oley Snowden is the co-owner of a business in Lebanon, Warren County, Ohio. Oley Snowden has a residence at 1962 Fiesta Dr., Lebanon, OH 45036.
6. Defendant Amy Brewer is the Mayor of the City of Lebanon, Ohio.
 - a. Brewer has a principal place of business at 50 South Broadway, Lebanon, OH 45036.
 - b. Brewer is sued in her official capacity for declaratory and injunctive relief.

JURISDICTION AND VENUE

7. This case arises, in part, under the Constitution and laws of the United States, specifically the First and Fourteenth Amendments to the Constitution and 42 U.S.C. §1983. Accordingly, this Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1331 and 1343.
8. The injunctive relief sought in this matter is authorized by 28 U.S.C. §§ 2201 and 2202 and Federal Rules of Civil Procedure 57 and 65.
9. This Court is an appropriate venue for this cause of action pursuant to 28 U.S.C. § 1391. The defendant is a resident of the State in which this district is located and a substantial part of the events or omissions giving rise to the claim occurred in this district.

FACTS

Facebook

10. Facebook is a popular social media website. Facebook is a social-networking service through its website— www.facebook.com—and mobile applications. Those applications connect consumer users of Facebook’s service, who each create a Facebook “profile” showing personal information, with “Friends” who also have Facebook accounts and profiles (“Friends” or “Facebook Friends”).
11. Facebook had more than 2 billion monthly active users worldwide. Over one hundred million Americans use Facebook every day to share personal information, such as their real name, date of birth, hometown, current city, employer, relationship status, and spouse’s name, as well as sensitive personal information, such as political views, sexual orientation, photos of minor children, and

membership in health-related and other support groups. Users can also provide information about themselves by indicating that they “like” public Facebook pages.

12. Elected officials create “pages” through which they may interact with the interested members of the public.

a. Facebook has previously stated, “people are turning to Facebook to find, follow and connect with candidates and elected officials. And governments are using Facebook to reach citizens directly and personally. There is a two-way conversation happening where people share what they care about, and officials get honest, real-time feedback.” Facebook states, “Facebook’s mission is to give people the power to build community and bring the world closer together, and governments and advocacy organizations have an important role to play in this.” <https://politics.fb.com/>

b. Facebook encourages the use of its pages by local government officials to “connect and engage with” communities. (<https://www.facebook.com/gpa/blog/tips-and-tools-for-public-service-announcements>) Facebook encourages local government officials to use Facebook to “proactively inform and educate your community,” and “engage... citizens with official information,” and to “[e]ngage with your community by replying to their comments.”

13. Facebook allows information to be shared on its sites via “posts” on pages. People who read the post may respond with comments or questions. The replies are visible to anyone who views the original post, unless removed by a person with control over the Page or the original post.

14. Facebook allows “tagging.” When a user is tagged in a post, Facebook creates a link to the user’s profile to the post, and the user who is tagged is notified. If the tagged user’s privacy settings are set to public, the post will show up on their own profile and in the news feed of their friends. It

may show up on their timeline either automatically or upon approval from them, depending on how their tag settings are configured.

15. Facebook allows “blocking.” When a user blocks another user, the blocked user is unable to tag the user or see posts from the user.
16. Facebook allows users to delete specific comments from posts. This can be done without prohibiting the user who posted the comment from viewing the post or commenting in the future.

Plaintiffs’ Business And Their Dispute With Mayor Brewer

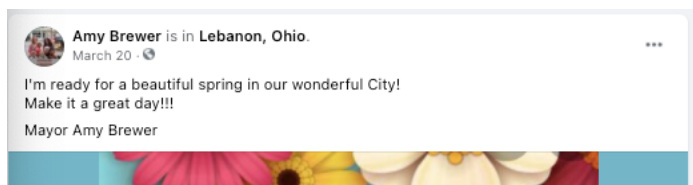
17. Plaintiffs are active in local politics and have a particular interest in the actions of the City of Lebanon.
18. Plaintiffs own and operate the Lebanon Candy and Sports Cards, LLC. The business, located in downtown Lebanon, is a retail establishment that sells candy and collectible cards and sports memorabilia.
19. Plaintiffs had been friends with Brewer for many years, both in “real life” and on Facebook.
20. In June of 2020, the city blocked off the street in front of Plaintiffs’ business to create an outdoor dining area for socially distanced dining during the pandemic. Oley Snowden called Brewer to complain about the impact on the business. Brewer responded that there was nothing Plaintiffs could do about it. After some harsh words were exchanged, Brewer hung up. Plaintiffs have not spoken with Brewer since that conversation.
21. Plaintiffs hung signs in their business window saying, “Recall Mayor Brewer. She is Bad for Business.”
22. Plaintiffs later circulated a petition to local businesses. After nearly every business signed the petition, Brewer falsely accused Plaintiffs of intimidating people into signing the petition.

The Mayor's Facebook Page

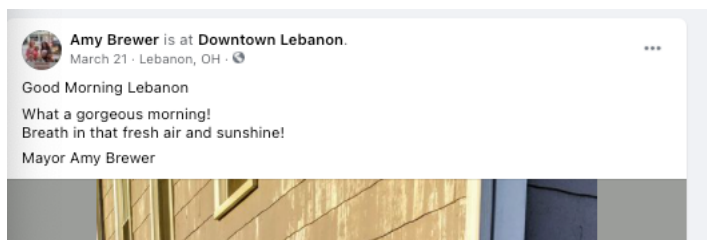
23. Brewer is an elected officials charged with serving as the chief executive officer of the City of Lebanon. The City of Lebanon's authority includes the provision of services, such as fire, police, and parks as well as the establishment of zoning rules and regulations and other legislative authority consistent with the Ohio Revised Code.
24. In recent years, the City of Lebanon's government has focused on issues of state and national significance beyond issues traditionally addressed by municipal government. Brewer, in particular, has urged and supports initiatives by the City of Lebanon on issues related to the response to Covid-19, gun control, and abortion. For example, in spring 2021, the city of Lebanon declared itself a "sanctuary city for the unborn" as part of legislation barring abortion inside its borders.
25. Brewer's duties include communicating with his constituents. Brewer's duties do not specifically require her to maintain a website for that purpose.
26. Brewer established and maintains a Facebook Page titled "Amy Brewer" (<https://www.facebook.com/amy.brewer.50746>) over which she exerts control (the "Facebook Page"). In the Facebook Page, she describes herself as a "Teacher at Lebanon Schools."
27. On information and belief, Brewer has administrative control over the Facebook Page, meaning that she has the ability to post to the page and edit its contents. She also has the ability to remove comments and prevent people from making further comments on the posts on this page (a/k/a "blocking" or "banning").
28. Brewer commonly uses the Facebook Page to address issues of concern to Lebanon residents. These posts on the Facebook Page by Brewer contain comments, suggestions, and communications with constituents about public issues.

29. Brewer commonly uses the Facebook Page to communicate with constituents about issues of public concern. She uses the Facebook page to address Lebanon residents and to share information about government work.
30. Brewer invites and encourages the public to comment on matters of public concern on her Facebook Page. Brewer also uses the Facebook Page to solicit participation in Lebanon government and community initiatives.
31. In posts on the Facebook page, Amy Brewer frequently identifies herself as “Mayor.”

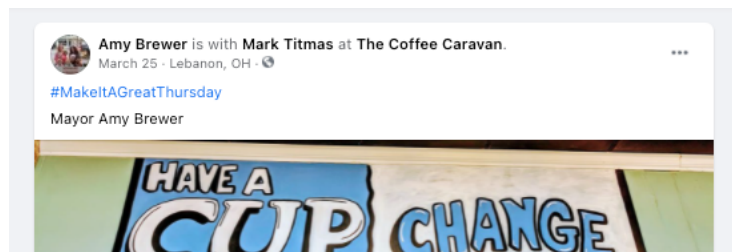
- a. On March 20, 2021, Brewer identified herself as “Mayor.”
(<https://www.facebook.com/amy.brewer.50746/posts/954425168639014>)



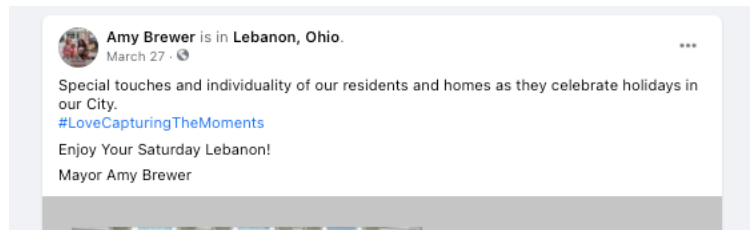
- b. On March 21, 2021, Brewer identified herself as “Mayor.”
(<https://www.facebook.com/amy.brewer.50746/posts/955106798570851>)



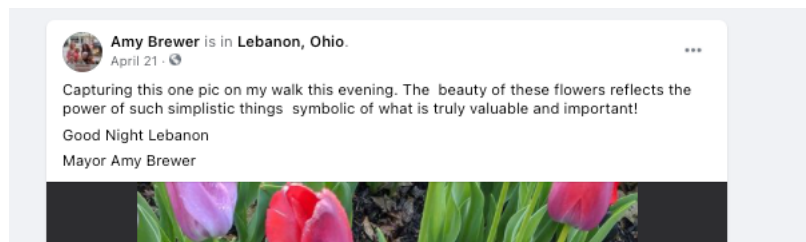
- c. On March 25, 2021 Brewer identified herself as “Mayor.”
(<https://www.facebook.com/amy.brewer.50746/posts/957497691665095>)



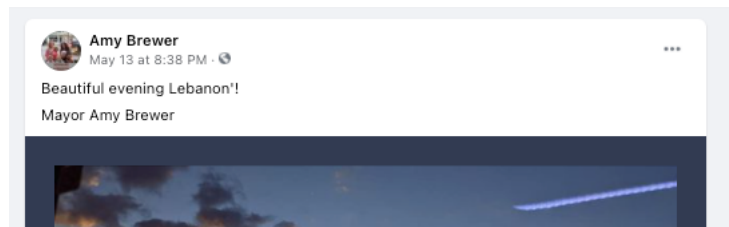
- d. On March 27, 2021, Brewer identified herself as “Mayor.”
(<https://www.facebook.com/amy.brewer.50746/posts/958789134869284>)



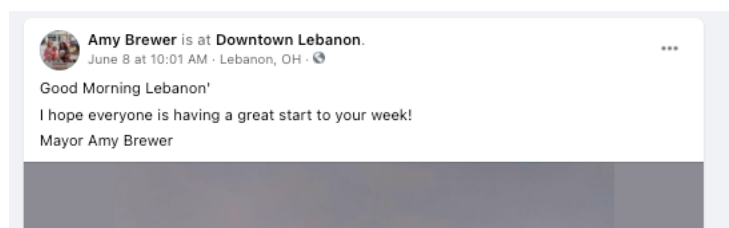
- e. On April 21, 2021 Brewer identified herself as “Mayor.”
(<https://www.facebook.com/amy.brewer.50746/posts/974240919990772>)



- f. On May 13, 2021, Brewer identified herself as “Mayor.”
(<https://www.facebook.com/amy.brewer.50746/posts/987615748653289>)

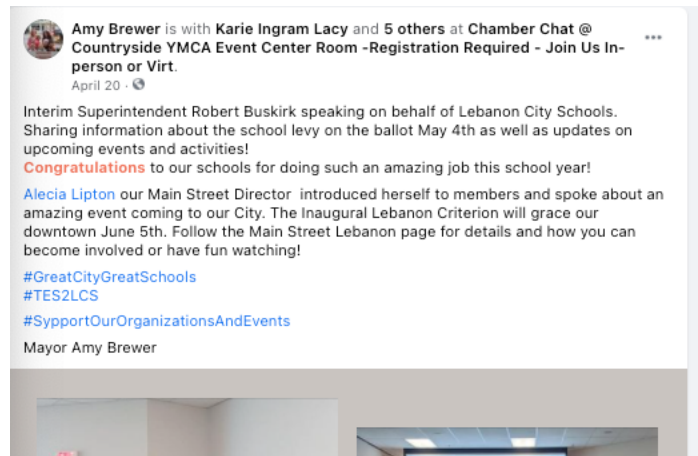


- g. On June 8, 2021, Brewer identified herself as “Mayor”
(<https://www.facebook.com/amy.brewer.50746/posts/1003332850414912>)



32. Many of Brewer’s Facebook posts deal with issues of public interest and concern.

- a. On April 20, 2021, she posted about a school levy and other issues on the ballot. She signed the post as “Mayor.”

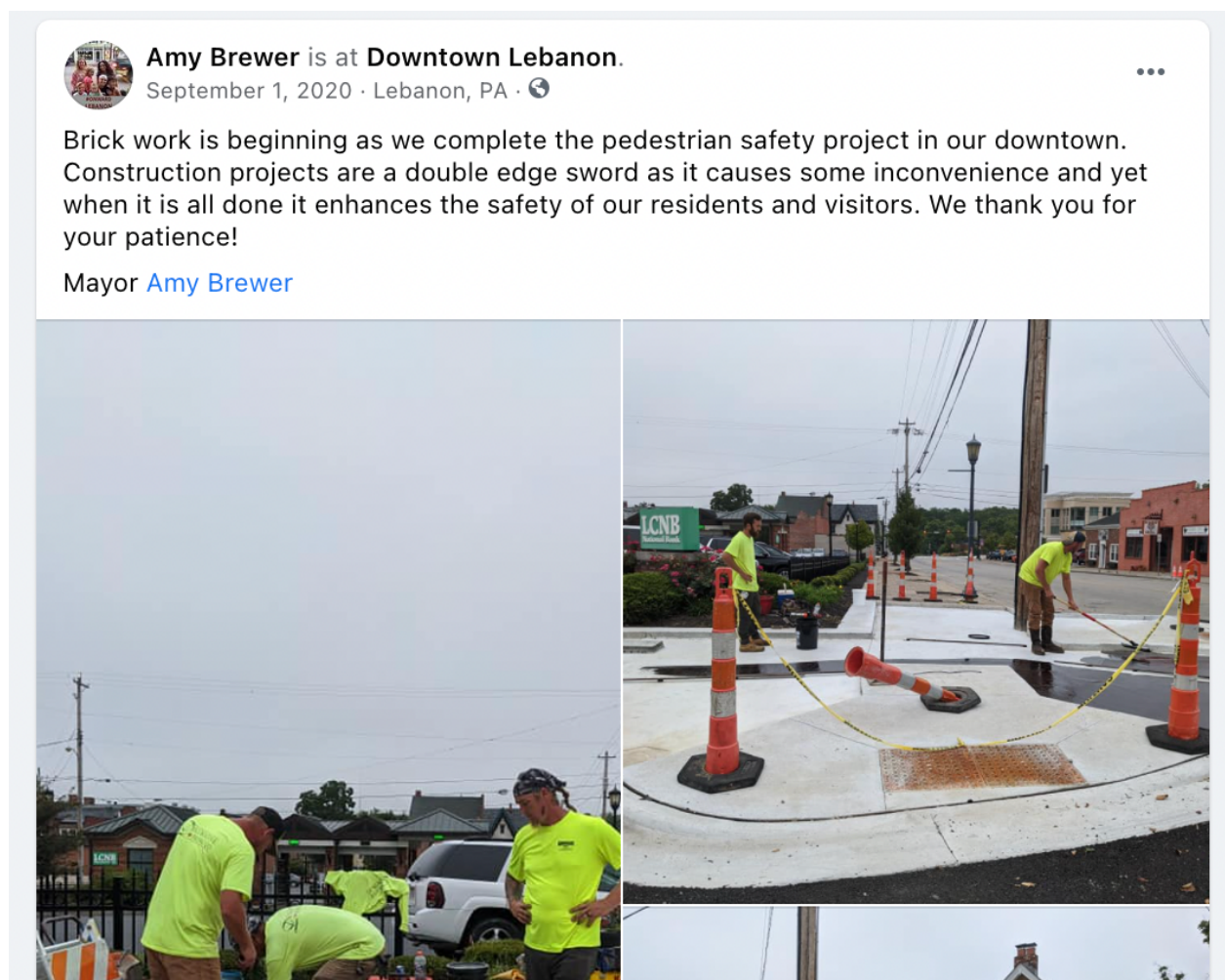


- b. On June 19, 2020, in a post signed as “Mayor,” Brewer provided community information about the impact of Covid-19 in the community. (<https://www.facebook.com/amy.brewer.50746/posts/763869447694588>)



- c. On September 1, 2020, in a post signed as “Mayor,” Brewer provided information about issues discussed at the city council meeting, including when Halloween would be celebrated and traffic control issues. She also discussed issues related to Covid-19 safety measures for businesses and the availability of financial support. (<https://www.facebook.com/amy.brewer.50746/posts/817536302327902>)

- d. On September 15, 2020, Brewer posted a press release from the police about a bank robbery. (<https://www.facebook.com/amy.brewer.50746/posts/828091114605754>) Brewer responded to questions from citizens about the crime.
- e. On September 20, 2020 Brewer posted about a downtown construction project aimed at improving pedestrian safety. (<https://www.facebook.com/amy.brewer.50746/posts/817173349030864>) Brewer responded to comments by residents about other safety concerns – when one citizen suggested a four-way stop at an intersection, Brewer respond, “I’ll follow up with City on the idea.”



- f. On October 29, 2020, Brewer, in post signed a “Mayor,” provided an update to the community on how the city was spending CARES funds. (<https://www.facebook.com/amy.brewer.50746/posts/862675751147290>)
- g. On November 20, 2020, Brewer posted about a decision to cancel a “Keep Christ in Christmas” parade in the City. (<https://www.facebook.com/amy.brewer.50746/posts/883658175715714>) She described criticism of the decision as “a war of pure hatred, bullying, harassment and intimidation.” On information and belief, Brewer blocked or deleted comments from people critical of her post. Amazingly for such a controversial topic, as of June 16, 2021, the post shows about 42 positive comments and not a single negative response.
33. Brewer also maintains a separate “Mayor Amy Brewer” Facebook page. (<https://www.facebook.com/MayorAmyBrewer/>) This page appears to be associated with her prior campaign activities. The page is described in the “About” section as “Campaign Page to Re-Elect Mayor Amy Brewer on November 7th!” (<https://www.facebook.com/MayorAmyBrewer/about/>) The page does not have any posts since 2018.

Brewer Blocks Her Political Opponents

34. Brewer has banned – blocked – those who oppose her policies from seeing, sharing, and commenting on information on her Facebook Page. This means that her political opponents cannot see anything Brewer posts on her timeline, tag Brewer, send Brewer an invite, try to friend Brewer, or start a conversation with Brewer.
35. Brewer acknowledged blocking people or removing comments from people who disagreed with her positions.

- a. On April 16, 2020, Brewer posted about a letter she had written to Governor DeWine critical of his approach to Covid-19. (<https://www.facebook.com/amy.brewer.50746/posts/719113912170142>) In the Post, she refers to citizens who have been critical of her views. She criticizes “comments to body shame someone for eating out or someone calling the Health Department on an identified essential business because it's not their perspective.”
- b. On November 10, 2020, Brewer responded to criticism of her positions on the use of masks and Covid-19. She wrote, “I will be deleting any comments that shame people because they wear or don't wear a mask, and those who choose to be disrespectful to others. If you feel the need to share my post go right ahead as we live in a country where Freedom of Speech is valued.” (<https://www.facebook.com/amy.brewer.50746/posts/872600890154776>) On information and belief, Brewer blocked or deleted comments from people critical of here posts. Amazingly for a social media post, as of June 16, 2021, the post shows about 428 positive responses, but not a single negative responses.
- c. Brewer posted that she does not mind criticism. On December 29, 2020 she posted, “As one of your leaders I have been outspoken in my views and perspectives. I have been unwilling to sit back and remain silent. My perspective has not always been supported and that is okay. I believe in the importance of great discussion and a different perspective. Our country was founded on those principals. 2021 will be no different as I work hard to represent our City.” (<https://www.facebook.com/amy.brewer.50746/posts/906169416797923>)

36. Plaintiffs were blocked by Brewer banned from commenting on the Facebook Page beginning in June 2020.

37. Plaintiffs did not post any offensive, obscene, or threatening comments on the Facebook Page.

- a. Plaintiffs' comments were consistent with the goals and policies of Facebook to "permit open and critical discussion of people who are featured in the news or have a large public audience based on their profession or chosen activities."

<https://www.facebook.com/communitystandards#attacks-on-public-figures>. Plaintiffs' comments did not constitute credible threats to public figures or as hate speech directed at public figures.

- b. Plaintiffs' comments were consistent with the goals and policies of Facebook that allow people to "speak freely on matters and people of public interest."

<https://www.facebook.com/communitystandards#bullying-and-harassment>. Plaintiffs' comments did not purposefully target any person with the intention of degrading or shaming them.

- c. All of the comments by Plaintiffs were in compliance with the Facebook Terms of Service.

<https://www.facebook.com/legal/terms>.

38. Brewer was aware of Plaintiffs' criticism of her policies and has taken other actions to harm Plaintiffs. In the summer of 2020, Brewer walked up to a group of people standing in front of Plaintiffs' store. Brewer told one of Plaintiffs' best customers that he should not shop there and that the Plaintiffs are 'bad people.' On another occasion, Brewer told the Lebanon Boosters at a fundraiser not to contact Lebanon Candy and Sports Cards. Plaintiffs' counsel (not the counsel for this litigation) has sent Cease-and-Desist letters as a result of these and other incidents.

39. Brewer banned Plaintiffs from the Facebook Page because she was offended by their criticism of her handling of public issues.

40. On information and belief, Brewer had blocked numerous other individuals who are critical of her actions in order to create the appearance of public support and silence and marginalize critics.

Those who have been subjected to blocking include those who have been critical of the Mayor's policies in regard to guns, Covid-19, and abortion.

41. As of the date of this Complaint, Plaintiffs remain banned from the Facebook Page. As a result, they remain unable to communicate with the elected officials in the community where their business is located through the Facebook Page and remain unable to participate in what is essentially a public form. Brewer's conduct is on-going and Plaintiffs face continuing harm and the threat of future harm.

**COUNT I
(DECLARATORY JUDGMENT – VIOLATION OF FREE SPEECH PROVISIONS
OF UNITED STATES CONSTITUTION)**

42. Plaintiffs repeat and incorporate all of the allegations of this Complaint, as if fully set forth herein.
43. The First Amendment to the United States Constitution, made applicable to the State of Ohio by the Fourteenth Amendment, guarantees the free speech rights of the Plaintiffs.
44. Brewer is acting under color of state law or undertakes state action in maintaining the Facebook Page.
45. Brewer is acting under color of state law or undertakes state action in banning the Plaintiffs from the Facebook Page.
46. Brewer uses the Facebook Page for official communications.
- a. Brewer uses the Facebook Page to solicit information from the public about matters of concern to the City of Lebanon and the community.
 - b. Brewer uses the comments section of her posts to the Facebook Page to engage with her constituents.
47. There is a sufficiently close nexus between Brewer's Facebook Page and the City of Lebanon so that Brewer's actions in regards to the Facebook Page may be fairly treated as that of the City of Lebanon itself. The Facebook Page is inextricably linked to the fact of Brewer's public office.

48. Brewer, the Facebook Page, and the City of Lebanon are entwined so that it is difficult for constituents to delineate between them.

- a. Brewer's public office provides the impetus for a large percentage of her posts on the Facebook Page; those posts and comments arise out of public, not personal, circumstances.
- b. Brewer maintains the Facebook Page for the purpose of providing information to the public and communicating with his constituents.
- c. Since creating the Facebook Page, Brewer has used it as a tool of governance. The page is one of the means by which Brewer communicates with constituents, receives input on issues, and holds "back and forth" dialogues with constituents. Brewer frequently uses the page to keep her constituents abreast important events in local government.

49. Brewer created a forum for speech by creating the Facebook Page.

- a. The Facebook Page is a digital space for the exchange of ideas and information in which Brewer's constituents may express opinions or post information.
- b. Brewer has allowed discussion of issues on the page, has affirmatively solicited comments from her constituents, and has responded to constituent concerns in her official capacity. As a result, the Facebook Page a place or channel of communication for use by the public.
- c. When users comment on Brewer's posts, these comments appear below the original post and includes both the comments to the original post (first-level comments) and comments and replies to the first-level comments. This creates multiple overlapping 'conversations' among and across groups of users.

50. Brewer has made efforts to swathe the Facebook Page in the trappings of her office. Among other things, the many of the posts includes Brewer 's title.

51. The specific acts of banning Plaintiffs from the Facebook Page arose out of public, not personal, circumstances. Brewer banned Plaintiffs from the Facebook Page due to their criticism of his public actions. Brewer, thus, acted out of “censorial motivation” to suppress criticism of a mayor related to the conduct of her official duties.
52. The Plaintiffs’ speech and comments on the Facebook Page concerns speech protected by the First Amendment. Their criticism of official conduct lies at the very heart of the First Amendment.
53. On information and belief, Brewer has not adopted any policy with respect to the Facebook Page beyond the terms of service maintained by Facebook. Brewer did not ban Plaintiffs pursuant to any neutral policy or practice that she has applied in an evenhanded manner.
54. By banning the Plaintiffs from the Facebook Page, Brewer sought to suppress critical commentary regarding elected officials.
55. Because Brewer operates the Facebook page as a government actor and has designated the page a public forum, the First Amendment prohibits her from blocking Plaintiffs based on their viewpoint.
56. Brewer violated Plaintiffs’ First Amendment by engaging in viewpoint discrimination and banning Plaintiffs from a digital forum for criticizing elected officials.
57. Plaintiffs are entitled to a declaration that Brewer’s actions violated the free speech guarantees of the United States Constitution.
58. Plaintiffs are further entitled to an injunction prevent Wallace from banning Plaintiffs in violation of the free speech guarantees of the United States Constitution.

COUNT II
(42 U.S.C. §1983 -- VIOLATION OF DUE PROCESS PROVISIONS OF UNITED STATES CONSTITUTION)

59. Plaintiffs repeat and incorporate all of the allegations of this Complaint, as if fully set forth herein.

60. This count is brought against Brewer in her Official Capacity for injunctive relief.
61. Brewer has acted under color of law in violating the Plaintiffs' rights under the First and Fourteenth Amendments to the United States Constitutions.
62. Brewer has acted intentionally and with callous disregard for the Plaintiffs' clearly established constitutional rights.
63. Brewer's continued actions against the Plaintiffs are causing substantial, immediate, and continuing damage to the Plaintiffs.
64. Pursuant to 42 U.S.C. §1983, Plaintiffs are entitled to an Injunction from this Court prohibiting Brewer from banning Plaintiffs from the Facebook Page.
65. Pursuant to 42 U.S.C. §1988, Plaintiffs are entitled to their attorney's fees incurred in bringing this action.

PRAYER FOR RELIEF

Plaintiff respectfully requests the following relief:

- On Count I, Judgment Declaring that Brewer has violated the free speech guarantees of the First Amendment to the United States Constitution, as applicable to the states under the Fourteenth Amendment;
- On Count II Judgment in favor of Plaintiffs;
- An Injunction prohibiting Brewer from banning Plaintiffs from the Facebook Page in violation of their constitutional rights; and
- Court costs and other reasonable expenses incurred in maintaining this action, including reasonable attorney's fees as authorized by 42 U.S.C. §1988.

Respectfully submitted,

/s/ Joshua Engel
Joshua Adam Engel (OH 0075769)
Molly Kindness (OH 0099593)
ENGEL AND MARTIN, LLC
4660 Duke Drive, Ste 101
Mason, OH 45040
(513) 445-9600
(513) 492-8989 (Fax)
engel@engelandmartin.com

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Kevin Snowden
Oley Snowden

(b) County of Residence of First Listed Plaintiff Warren
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Joshua A. Engel & Molly Kindness
Engel & Martin, LLC, 4660 Duke Dr. Ste 101, Mason, OH 45040
513-445-9600

DEFENDANTS

Amy Brewer

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability		INTELLECTUAL PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	LABOR	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input checked="" type="checkbox"/> 440 Other Civil Rights		FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	IMMIGRATION	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other			
	<input type="checkbox"/> 448 Education			
		PRISONER PETITIONS		
		Habeas Corpus:		
		<input type="checkbox"/> 463 Alien Detainee		
		<input type="checkbox"/> 510 Motions to Vacate Sentence		
		<input type="checkbox"/> 530 General		
		<input type="checkbox"/> 535 Death Penalty		
		Other:		
		<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. 1983

Brief description of cause:

This case arises out of the unconstitutional actions of an elected official in "blocking" users from her Facebook Page

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

June 24, 2021

SIGNATURE OF ATTORNEY OF RECORD

/s/ Joshua A Engel (OH 0075769)

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE