@gruwup.net : Peacebuilding and Trustbinding Ideal
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Fax

To:	Doctor Jonathan Harry Mermin [@DrMerminCDC]	**From:**	James Martin Driskill
Fax:	1-404-639-1388	**Date:**	Jul 13/19 09:57 PM
Organization:	CDC HIV Treatment/Prevention		
Subject:	**Unblock My Access To Communicate on Twitter Dr. Mermin!**		

Dr. Mermin,

Time has come full circle. If I must get a civil rights attorney involved in placing an injunction against you for the previous blocking of my twitter account [@Gruwup] from connecting with you, I will.

BEFORE I DO --- It might be just gentleman of you to unblock me so we can have a public discussion on the matters that I introduced you to in March that I attempted to bring my very own HIV Doctor involved into these subjects. He too terminated my care.

This is rather embarrassing for you all to carry on and hide a conspiracy from being told to the public, don't you think?

And Email has been sent --- we can carry on in private email or in public twitter --- which do you perfer?

from: **Martin J. Driskill** <inthemindway@gmail.com>
to: "Dr. Jonathan Mermin : I-Know-What-You-Did : I-Have-No-Hiv-Care-Doctor : #HivUntreatable : Because Of Corrupt Doctors From Local To The Top --- #ConspiracyExposedTerminatesASAP" <jhm7@cdc.gov>
cc: "Doctor Mubashir Farooqi - Patient: James Martin Driskill" <Mubashir.farooqi@inlandpsych.com>
date: Jul 13, 2019, 9:41 PM
subject: As the same law/rule apples to you Dr Mermin as President Trump, you cannot block citizen's from access on twitter!
mailed-by: gmail.com

The New York Times

Trump Can't Block Critics From His Twitter Account, Appeals Court Rules

The decision may have broader implications for how the First Amendment applies to officials' accounts in the social-media era.

By Charlie Savage

July 9, 2019

WASHINGTON — President Trump has been violating the Constitution by blocking people from following his Twitter account because they criticized or mocked him, a federal appeals court ruled on Tuesday. The ruling could have broader implications for how the First Amendment applies to the social-media era.

Because Mr. Trump uses Twitter to conduct government business, he cannot exclude some Americans from reading his posts — and engaging in conversations in the replies to them — because he does not like their views, a three-judge panel on the United States Court of Appeals for the Second Circuit, in New York, ruled unanimously.

The ruling was one of the highest-profile court decisions yet in a growing constellation of cases addressing what the First Amendment means in a time when political expression increasingly takes place online. It is also a time, Judge Barrington D. Parker wrote, when government conduct is subject to a "wide-open, robust debate" that "generates a level of passion and intensity the likes of which have rarely been seen."

The First Amendment prohibits an official who uses a social media account for government purposes from excluding people from an "otherwise open online dialogue" because they say things that the official finds objectionable, Judge Parker wrote.

"This debate, as uncomfortable and as unpleasant as it frequently may be, is nonetheless a good thing," the judge wrote. "In resolving this appeal, we remind the litigants and the public that if the First Amendment means anything, it means that the best response to disfavored speech on matters of public concern is more speech, not less."

[Read the opinion.]

The Justice Department expressed disappointment in the ruling but said officials had not yet decided whether to appeal to the full appeals court or the Supreme Court.

"We are disappointed with the court's decision and are exploring possible next steps," said Kelly Laco, a department spokeswoman. "As we argued, President Trump's decision to block users from his personal Twitter account does not violate the First Amendment."

But Jameel Jaffer, the director of the Knight First Amendment Institute at Columbia University, which represented a group of Twitter users who were blocked by Mr. Trump and filed the lawsuit, praised the ruling. He said that public officials' social-media accounts are among the most significant forums for the public to discuss government policy.

"The ruling will ensure that people aren't excluded from these forums simply because of their viewpoints and that public officials don't transform these digital spaces into echo chambers," Mr. Jaffer said. "It will help ensure the integrity and vitality of digital spaces that are increasingly important to our democracy."

Mr. Trump's Twitter account, @realDonaldTrump, has nearly 62 million followers, and he often uses it to make policy pronouncements and communicate with the public, driving the news of the day. Last week, for example, Mr. Trump used Twitter to abruptly announce that the government would still seek to add a question to the 2020 census about people's citizenship, reversing what administration officials had previously told a court.

His posts routinely generate tens of thousands of replies, as people respond to what he has said and engage in debates with each other.

Against that backdrop, a group of Twitter users whom Mr. Trump had blocked from accessing his postings asked the White House to be unblocked and then, when their request went unheeded, sued the president.

The plaintiffs included Rebecca Buckwalter, a fellow at the liberal Center for American Progress. Her account was blocked after she responded to a tweet by Mr. Trump on June 6, 2017, in which he accused various mainstream news media outlets of being "fake news" and said he would not have won the White House if he had relied on them.

Ms. Buckwalter replied, "To be fair you didn't win the WH: Russia won it for you" — and she was blocked by Mr. Trump's account.

The lawsuit argued that Mr. Trump's account amounted to a public forum — a "digital town hall" — so his decision to selectively block people from participating in that forum because he did not like what they said amounted to unconstitutional discrimination based on their viewpoints.

Mr. Trump's legal team argued, among other things, that he operated the account merely in a personal capacity, and so had the right to block whomever he wanted for any reason — including because users annoyed him by criticizing or mocking him.

But the appeals court disagreed, saying Mr. Trump was clearly acting in a government capacity in his use of Twitter.

"We are not persuaded," Judge Parker wrote. "We conclude that the evidence of the official nature of the account is overwhelming. We also conclude that once the president has chosen a platform and opened up its interactive space to millions of users and participants, he may not selectively exclude those whose views he disagrees with."

The ruling upheld a May 2018 decision by a Federal District Court judge that also found Mr. Trump's practice of blocking his critics from his Twitter account to be unconstitutional. After that ruling, the White House unblocked the specific plaintiffs' accounts — but not other users who were not involved in the case — while filing an appeal.

Judge Parker was appointed by former President George W. Bush. He was joined in the opinion by Judges Peter Hall, another Bush appointee, and Christopher Droney, an appointee of former President Barack Obama. The district court judge whose earlier ruling the panel affirmed was Naomi Buchwald, a Clinton appointee.

Courts have increasingly been grappling with how to apply the First Amendment, written in the 18th century, to the social-media era. In 2017, for example, the Supreme Court unanimously struck down a North Carolina law that had made it a crime for registered sex offenders to use websites like Facebook.

In January, a panel on the Court of Appeals for the Fourth Circuit, in Richmond, Va., issued a similar ruling in a much smaller-scale case, barring the chairwoman of a board of county supervisors from blocking a critic from a Facebook page she administered. The Knight First Amendment Institute also represented that plaintiff.

In a concurring opinion in the earlier case, Judge Barbara Milano Keenan said the Supreme Court will eventually need to address many difficult issues raised by officials' use of social-media services. Among others, she questioned whether such companies' policies of restricting users deemed to use hate speech from their platforms raised a constitutional problem.

"Cases necessarily will arise requiring courts to consider the nuances of social media and their various roles in hosting public forums established by government officials or entities," she wrote. "Therefore, in my view, courts must exercise great caution when examining these issues, as we await further guidance from the Supreme Court on the First Amendment's reach into social media."

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Charlie Savage is a Washington-based national security and legal policy correspondent. A recipient of the Pulitzer Prize, he previously worked at The Boston Globe and The Miami Herald. His most recent book is "Power Wars: The Relentless Rise of Presidential Authority and Secrecy." @charlie_savage • Facebook

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