

Thomas E. Higgins

LAW OFFICES OF THOMAS E. HIGGINS

325 West Franklin Street

Tucson, Arizona 85701

(520) 624-8663

State Bar No: 04324

Attorney for James Springer

**IN THE UNITED STATES DISTRICT COURT
IN THE DISTRICT OF ARIZONA**

**THE UNITED STATES OF
AMERICA,**

Plaintiff,

vs.

JAMES ALAN SPRINGER,

Defendant.

Case No: CR 18-00722-TUC-BGM

TRIAL MEMORANDUM

HON. Bruce McDonald

COMES NOW, the Defendant, James Springer, by and through undersigned counsel, hereby submits the forgoing Trial Memorandum.

RESPECTFULLY SUBMITTED, this April 10, 2019.

Law Office of **THOMAS E. HIGGINS, P.L.L.C.**

By: /s/Thomas E. Higgins

THOMAS E. HIGGINS

Attorney for James Springer

TRIAL MEMORANDUM

I. INTRODUCTION:

A. SUMMARY OF FACTS:

On March 20, 2018, James Springer was arrested while filming the Buffalo Soldiers Gate entrance to the Fort Huachuca Military Base. While Mr. Springer was standing outside of the base, he was technically on base property. However, in the area where he was standing, no signs were posted to warn visitors of the prohibition against photography.

Mr. Springer runs an anti-corruption channel on *YouTube*.¹ Using the alias James Freeman, Springer uses his channel to expose police and state corruption and the encroachment on civil rights. He frequently uploads videos that aim to show government officials or police exceeding the legal bounds of their authority.

Prior to the circumstances, which are at the center of this matter, Springer travelled the nation visiting state and federal institutions and filmed his interactions with officials. Mr. Springer sees himself as a concerned citizen testing and exposing the unwarranted restrictions on civil liberties and the assertions of unlawful authority. While controversial, Springer's activities are within the realm of First Amendment protections of Free Speech.

One week prior to the events of this case, Springer visited Davis-Monthan Air Force Base in Tucson, AZ and inquired about gaining access to the base. He refused to provide identification and was denied access to the base. Springer was then escorted to the intersection where the altercation terminated peacefully. Nevertheless, authorities at Davis-Monthan issues a BOLO for "*James Freeman*" *whom initiates contact with law enforcement personnel for the express purpose of causing hostile interactions...*" and posting them on social media.²

¹ <https://www.youtube.com/channel/UCBKfo8q1NZTPPmCHAbAE7Hw>. As of 04/5/2019, the channel had 79,289 subscribers.

² See Army Memorandum 3/29/18 Report Summary.

On March 20, 2018, James Springer stood 5 feet from the intersection of Winrow Ave. and Buffalo Soldier Trail and began filming in the direction of the Buffalo Soldiers entrance to the Ft. Huachuca Military Base. Springer used two separate cameras to film the base. One of the cameras was connected to his cell phone and "live streaming" to his YouTube channel. Mr. Springer was approached by Officer Fisher and informed that it was illegal to film the base access point. He refused repeatedly to stop filming or to identify himself to the police officer. Note that, Mr. Springer views this as his mission in life, to expose the hegemony of government officials who prohibit protected activity without legal justification. Several of his videos document police or other government officials, barring the public from being, or filming in area, which they have a constitutional right to do so. Ultimately, as a result of his refusal, Mr. Springer was arrested for failure to identify himself and for filming the access point.

B. CHARGES

Mr. Springer is charged with four separate offenses stemming from the events of March 20, 2018. The charges include:

- 1) **Count 1:** Violation of 18 U.S.C. § 795 – Photographing and Sketching a Defense Installation, a Federal Class A Misdemeanor.
- 2) **Count 2:** Violation of 18 U.S.C. § 797 – Publication and Sale of Photographs of Defense Installations, a Federal Class A Misdemeanor.
- 3) **Count 3:** Violation of 18 U.S.C. § 1382 – Entering Military, Naval, or Coast Guard Property, a Federal Class B Misdemeanor.
- 4) **Count 4:** Violation of A.R.S. § 28-622 – Failure to Comply with Police Officer, an Arizona Class 2 Misdemeanor.

Relevant Statutes

- § 18 USC 795 – Photographing and Sketching a Defense Installation
- § 18 USC 797 – Publication and Sale of Photographs of Defense Installations
- § 18 USC 1382 – Entering Military, Naval, or Coast Guard Property
- § A.R.S. 28-622 – Failure to Comply with Police Officer

- § A.R.S. 13-2412 – Refusing to provide truthful name

II. LEGAL ARGUMENT

A. KEY ISSUES:

1. Does the fact that the Military Base Authorities failed to abide by its own Army Security Regulations, which require signs to be posted at the Buffalo Soldier's Gate, prohibit their ability to restrict access to the area?
 - a. Does the unfettered use by the public of the area in and around the intersection of Winrow Ave. and Buffalo Soldier Trail, render the area a Quasi-public area?
 - b. Given the characteristics, layout, and nature of the area, would the average person 1) know that the base extends to the middle of the intersection; 2) realize through basic sensory perception, that the area 712 feet away from the gate is restricted; 3) that by stepping off the crosswalk they would violate federal law?
2. Whether under the Due Process and Public Policy, is prosecution under § 18 USC 795, § 18 USC 797, and § 18 USC 1382 proper when military base authorities fail to comply with Army Security Regulations, which require adequate signage to inform the public of the restricted nature of the area and the prohibition against photography?
3. Is prosecution for exercising his right to free speech, prohibited under the First Amendment, when the base failed to enforce Army regulations, meant to inform the public?

B. THE MILITARY BASE'S AUTHORITIES DID NOT POST ADEQUATE SIGNS TO INFORM THE PUBLIC THAT THE AREA IS RESTRICTED.

James Springer was arrested while filming, five (5) feet from the crosswalk at the intersection of Winrow Ave. and Buffalo Soldier Trail. While it is obvious that the area inside the walls of the base is restricted, the military base authorities did not post adequate signs to inform the public that the area immediately to the west of the public

1 intersection was also restricted. The entrance to the gate was more than 700 feet
2 away.

3 The law is clear that, *"...due process does not require that citizens be provided*
4 *actual notice of all criminal rules and their meanings. The Constitution is satisfied if*
5 *the necessary information is reasonably obtainable by the public."* United States v.
6 Vasarajs, 908 F.2d 443, 449 (9th Cir. 1990).

7 In that case, Vasarajs was previously barred from entering a military base due to
8 past misconduct involving illegal drugs. Id. Years later she returned to the base and
9 charged with violating 18 U.S.C. § 1382. Id. Unlike this case, there, the defendant
10 passed two separate signs informing her that she was on base property. Id. The first
11 sign read *"Welcome to Fort Richardson,"* and a second warned, *"You are now entering*
12 *a military reservation, you are subject to search at any time."* Id. Here however, the
13 base did not post signs in the area, which easily could be mistaken for a public road.

14 1) THE BASE ADMITS THAT, FROM WHERE HE STOOD, SPRINGER COULD
15 NOT SEE THE SIGNS PROHIBITING PHOTOGRAPHY.

16 In his sworn statement, Officer Vanderbeek states that Springer had no way of
17 knowing that he was on base property. After his arrest, *"Springer was taken to the*
18 *cross walk at the intersection of Winrow Ave. and Fry. I pointed out the cross walk line*
19 *which is used to distinguish the border of our jurisdiction."* See statement of Louis E
20 Vanderbeek GS-09 LT/Training Officer, Directorate of Emergency Services p. 2 (See
21 Figure 1).³ He continues, *"Springer asked me to see the sign which prohibits*
22 *photograph on the installation, due to it being located at the Van Deman Gate,*
23 *Springer was not able to see it."* Louis E Vanderbeek GS-09 LT/Training Officer,
24 Directorate of Emergency Services. The Van Deman Gate (where the sign is located) is
25 1.6 miles from the Buffalo Soldiers Gate (where Springer was arrested).⁴
26

27 ³ Note, Winrow Ave. and Fry do not intersect. Winrow Ave. turns into Fry after the intersection with
28 Buffalo Soldier Trail.

⁴ See Figure 10- *Distance from Buffalo Gate to Van Deman Gate*, Google Maps.

C. THE SIGNS AT THE BUFFALO SOLDIERS GATE DO NOT COMPLY WITH ARMY REGULATIONS.

The security measures in place at the Buffalo Soldiers Access Gate, neither comply with Army Directives, nor do they provide adequate notice to the public of the restricted nature of the area and the prohibition against photography.

The United States Army regulations govern the security procedures for military installations in the 2011 version of *Army Regulation 190–13, The Army Physical Security Program*. The regulations define the means and method by which a facility is to be secured. Moreover, they provide specific directives intended to provide adequate notice to the public of the restricted nature of the area. Chapter 6-1(c) states “*Minimum requirements for controlling access to installations will be per this regulation...*”⁵ Chapter 6–5 of the regulations provides the security measures for the outer barriers of an installation. It provides, “*Materials such as fencing will be used to channel vehicles and pedestrians to IACPs and also as a physical barrier marking the perimeter of the installation or stand-alone facility.*”⁶

Chapter 6-6 Restricted Area Signs: provides detailed guidelines concerning the appropriate signs to be used at installations. It provides:

“6-6 a. Signs or notices will be posted in conspicuous and appropriate places to identify the site as a restricted area except when such action would tend to advertise an otherwise concealed area, or when in conflict with host nation agreements. Announcement of the site as restricted will include posting signs at each entrance to the site and on perimeter fences or other boundary material.

c. Signs will be positioned to avoid concealment of an intruder or obstruct visual assessment by friendly forces. Failure to post conspicuous signs and notices to give persons approaching a

⁵ AR 190–13 • 25 February 2011, *Army Regulation 190–13, The Army Physical Security Program* Chap. 6.1(c) p. 19

⁶ Army Regulation 190–13, Ch. 6.5 Restricted Areas, *Perimeter controls for installations and stand-alone facilities*, page 19

restricted area **actual knowledge** of the restriction may hamper any resulting legal procedure. (Emphasis added)

(1) Signs will be posted per figure 6–1 at IACPs and facility entry control points. The following declarations, individually or in combination, may be added where applicable:

- (a) Deadly force authorized.
- (b) Area patrolled by military working dog (MWD) teams.
- (c) The introduction of weapons, ammunition, or explosives or other prohibited items and photography is prohibited without specific authorization from the commander.”⁷

Additionally, the regulation provides illustrative guidelines for the required signage at the Entry Control Points and those along the Perimeter of the facility.⁸ As indicated there signs serve to notify persons that photography is prohibited and that the area is restricted. The captions to each illustration define its intended use. (Figure 6–1. Warning sign for installation IACPs and facility entry control points. Figure 6–2. Warning sign for property perimeters.) The regulations prescribe additional details for signage, in the notes to the illustrations.⁹

“(2) Signs will be posted per figure 6–2 along property perimeters in sufficient numbers so the warning can be readily seen and understood by approaching persons.”

“(3) Both warnings notices will be posted in English. For OCONUS, the warning notices will also be posted in the host-nation language. For both continental United States (CONUS) and OCONUS, the warning notice is also encouraged to be posted in other languages predominant to the area as a safety and legal precaution.”¹⁰

Chapter 6-1(c), expressly admonishes that, these safety measure are the **minimum requirements**.¹¹ In contravention to these precepts, these safety measures required by the Army are not in place at the Buffalo Soldiers Gate.¹²

⁷ AR 190–13 • 25 February 2011, *Army Regulation 190–13, The Army Physical Security Program*; Chapter 6

⁸ Id. at Figure 8: Required sign per; Figure 6–1. See also Figure 8.1: Required signs along the perimeter per Figure 6-2

⁹ AR 190–13 • 25 February 2011, *Army Regulation 190–13, The Army Physical Security Program* Chap. 6, p. 21

¹⁰ Id.

¹¹ Id. at 6.1(c) p. 19. See also Chap. 6.6(a) p. 21

1) BASE AUTHORITIES KNEW THAT THE AREA LACKED THE REQUIRED SIGNS.

The security measures in place at the Buffalo Soldiers Access Gate, neither comply with Army Directives, nor do they provide adequate notice to the public of the restricted nature of the area and the prohibition against photography. Furthermore, it is clear that Fort Huachuca Directorate of Emergency Security Police Division, knew of their absence. In his sworn statement Officer Vanderbeek states, *"Springer asked me to see the sign which prohibits photograph on the installation, due to it being located at the Van Deman Gate, Springer was not able to see it (he was at the Buffalo Soldiers Gate which is 1.6 miles away). Louis E Vanderbeek GS-09 LT/Training Officer, Directorate of Emergency Services.*

A sign posted 1.6 miles away from the access gate does not comply with Army regulations. As previously stated, chapter 6.6 (b) expressly states, *"Failure to post conspicuous signs and notices to give persons approaching a restricted area actual knowledge of the restriction may hamper any resulting legal procedure."*¹³

D. MR. SPRINGER HAD NO WAY OF KNOWING THAT THE AREA WAS RESTRICTED.

Mr. Springer's video footage¹⁴ corroborates his location and the lack of posted signs. Likewise, both Officers Fisher and Vanderbeek, state that Mr. Springer was standing about 5 feet west of the crosswalk.¹⁵ Even if Mr. Springer was technically standing on base property, as defined by zoning laws and the 1917 land grant to the federal government, there is no way that he or any member of the public would know that the area is restricted.

¹² See Google Street View images (Figures 2 – 7 of the attached *Table of Figures*).

¹³ AR 190–13 • 25 February 2011, *Army Regulation 190–13, The Army Physical Security Program* Chap. 6.6(b) p. 21

¹⁴ Arrest Video <https://www.youtube.com/watch?v=2PC8FHOKUIE>

¹⁵ See Figure 2: Distance from the Speed Limit Sign to Intersection and Figure 3: Eastwardly view of the distance from speed limit sign to the intersection

1 The average person does not know the meets and bounds of the Fort Huachuca
 2 military base (especially, a visitor from outside the area). Moreover, the average
 3 person does not review zoning maps prior to every outing. **People rely on sensory**
 4 **perceptions to assess the nature and quality of any given area.** This obvious
 5 and intrinsic fact of human behavior is well understood and contemplated by every
 6 zoo, airport, utility company, factory, and national park. Accordingly, it is common
 7 practice for the authorities at these sites to post signs informing the public of the
 8 special circumstances of the area. The Fort Huachuca base authorities too, are
 9 cognizant of this fact, as evidenced by the signs posted in other areas of the base.
 10 While the restricted nature of military areas is well known, the precise meets and
 11 bounds of a given restricted area are not within the average person's purview. As
 12 such, the average person relies on signage to inform them of special circumstances in
 13 a given area.

14 At this particular location, the base jurisdiction extends from the Buffalo Soldier's
 15 Gate all the way to the public intersection. The distance from the gate to the
 16 intersection is 712 feet. There are not any signs posted at this gate, or near the
 17 intersection. As a result, every jogger, pedestrian, and dog-walker unwittingly violates
 18 federal law by walking on West side of Buffalo Soldiers trail.

19
 20 **E. DUE TO THE UNFETTERED PUBLIC ACCESS, THE AREA IMMEDIATELY
 SURROUNDING THE INTERSECTION IS A QUASI-PUBLIC AREA:**

21 Some Courts have held that, when an area, which the base claims is restricted, is
 22 used freely by the public, the army can lose the right to restrict access. The Supreme
 23 Court reversed the defendant's conviction and held that, whatever power military may
 24 have to restrict access to the facility was lost since it was made open to the public.
 25 Flower v. United States, 407 U.S. 197, 92 S.Ct. 1842, 32 L.Ed.2d 653 (1972) (per
 26 curiam). There the Court held that since *"the Fort commander chose not to exclude*
 27 *the public from the street where petitioner was arrested.* "Id. at 198. The Court
 28 continued, ruling that the *"the military has abandoned any claim that it has special*

1 *interests in who walks, talks, or distributes leaflets on the avenue. The base*
 2 *commandant can no more order petitioner off this public street because he was*
 3 *distributing leaflets than could the city police order any leafleteer off any public*
 4 *street.* "Id at 199; citing Cf. Lovell v. City of Griffin, 303 U. S. 444 (1938), Schneider
 5 v. State, 308 U. S. 147 (1939). "

6 Winrow Ave. is an extension of Fry Blvd., a major thoroughfare and commercial
 7 area in the City of Sierra Vista (the street changes names once it extends into the
 8 base's jurisdiction). Buffalo Soldier Trail forms the western boundary of the city and
 9 merges into highway 90, which is the primary point of ingress/egress into the city.
 10 Several shops, restaurants, and other business dot the eastern side of Buffalo Soldier
 11 Trail, immediately across from the base entrance. At the mouth of the intersection, is
 12 the Widow Support Center and Ft Huachuca Community Thrift Shop. Pedestrians
 13 frequently use both sides of the intersection. Nothing in the immediate area signifies
 14 that the area is restricted, nor is there a guard on duty preventing public access.

15 Once the government opens up an area to the public for speech such that the
 16 space becomes a public forum, it cannot bar entry to individuals who wish to enter for
 17 speech-related purposes. See Albertini, 472 U.S. at 685-86, 105 S.Ct. at 2905-06;
 18 Greer v. Spock, 424 U.S. 828, 835-36, 96 S.Ct. 1211, 1216, 47 L.Ed.2d 505 (1976);
 19 Flower, 407 U.S. at 198-99, 92 S.Ct. at 1843-44.

20 In Flower, the Supreme Court overturned a conviction for leafletting on portions of
 21 a military base as to which the military had abandoned any claim of non-public forum
 22 status. Flower v. United States, 407 U.S. 197, 199, 92 S.Ct. 1842, 32 L.Ed.2d 653
 23 (1972) (per curiam).

24 **F. THE FIRST AMENDMENT, PUBLIC POLICY, AND DUE PROCESS DO NOT** 25 **SUPPORT PROSECUTION UNDER VAGUELY ENFORCED REGULATIONS:**

26 The case law is clear; while courts have held that due process does not require
 27 citizens to have *actual notice* of all criminal rules. It is resounding antithetical to our
 28 concepts of justice for the State to render punishment upon a citizen, based on that

1 citizen's exercise of his First Amendment rights; when the State's abrogation of its
2 duties under law, is the primary source for the citizen's unwitting violation of the law.
3 Pronouncing criminal culpability without reasonable notice negates any concept of
4 just enforcement of the law.

5 While the courts have ruled that the government can regulate speech, this
6 authority is severely constrained. While a law may be facially valid, its enforcement
7 may be struck down as unconstitutional. See generally, United States v. O'Brien, 391
8 US 367 (1968). Under the First Amendment, the governmental may impose
9 reasonable time, place, and manner restrictions on speech, so long as they are
10 content neutral and restrict no more speech than necessary. Clark v. Cmty. for
11 Creative Non-Violence, 468 U.S. 288, 293 (1984). At the center of nearly all case law
12 relating to the Freedom of Speech and Expression First Amendment, is the notion
13 that the government must not burden more speech than necessary, the regulations
14 must leave open ample alternative channels for communication, and "*sufficiently*
15 *definite to apprise the public of prohibited activities.*" Gorin v. United States, 312 U.
16 S. 19, 28 (1941). See also United States v. Grace, 461 U. S. 171 (1983); Perry
17 Education Assn. v. Perry Local Educators' Assn., 460 U. S. 37, 45-46 (1983); Heffron
18 v. International Society for Krishna Consciousness, 294*294 Inc., 452 U. S. 640, 647-
19 648 (1981); Virginia Pharmacy Board v. Virginia Citizens Consumer Council, Inc., 425
20 U. S. 748, 771 (1976); Consolidated Edison Co. v. Public Service Comm'n of N. Y.,
21 447 U. S. 530, 535 (1980); New York Times Co. v. Sullivan, 376 U.S. 254 (1964);
22 United States v. O'Brien, 391 U. S. 367, 377 (1968)).

23 A regulation is void for vagueness if it fails to provide a person of ordinary
24 intelligence with fair notice of what is prohibited. Connally v. General Construction
25 Co., 269 U.S. 385 (1926). The "void for vagueness" doctrine is grounded in the due
26 process, it "*...requires that penal statutes define crimes so that ordinary people can*
27 *understand the conduct prohibited and so that arbitrary and discriminatory*
28 *enforcement is not encouraged.*" Maynard v. Cartwright, 486 U.S. 356, 361, 108 S.Ct.

1853, 1857, 100 L.Ed.2d 372 (1988). See also, United States v. McLamb, 985 F.2d 1284, 1291 (4th Cir. 1993).

Likewise, vague enforcement of regulations has been held unconstitutional. See e.g. Kolender v. Lawson, 461 US 352, 103 S. Ct. 1855 (1983); United States v. Hammoud, 381 F.3d 316, 330 (4th Cir.2004); Gregg v. Georgia, 428 U. S. 153 (1976). The "legality principle" commands that *"conduct is not criminal unless forbidden by law which gives advance warning that such conduct is criminal."*¹ W. LaFave & A. Scott, Substantive Criminal Law § 3.1, at 271 (1986); see also Lambert v. California, 355 U.S. 225, 228, 78 S.Ct. 240, 243, 2 L.Ed.2d 228 (1957) (The notice component of due process limits the rule that ignorance of the law is not an excuse). Thus, the adage that *"ignorance of the law is no excuse for committing a crime ... presupposes a penal statute that adequately puts citizens on notice of what is illegal."* Pope v. Illinois, 481 U.S. 497, 517, 107 S.Ct. 1918, 1929, 95 L.Ed.2d 439 (1987) (Stevens, J., dissenting).¹⁶ Lastly, vague laws and vague enforcement results in a chilling effect on free speech.¹⁷

There is a public policy argument to be made. Mr. Springer was standing five (5) feet from the crosswalk of a public road. He was at least 30 feet from the first military sign (which was not restrictive). He was more than 60 feet away from the first restrictive sign providing actual notice that the area is restricted. While very little case law exists regarding the reversal of convictions under §1382, §795, or §795 as a result of a failure to abide by Army Security Regulations, basic tenants of justice and fairness require adequate notice prior to punishment, especially given the seemingly public nature of the area.

Lastly, the area where Mr. Springer was arrested lies outside the base's perimeter, and not the within the sensitive areas intended to be protected under

¹⁶ See also, Due Process Requirements of Definiteness in Statutes, 62 Harv.L.Rev. 77, 79-80 (1948) (suggesting that due process requires that statutes be published); see also Ignorance of the Law as an Excuse, 86 Colum.L.Rev. 1392, 1408-09 (1986) (*"The perception that society is justified in demanding that each person make some effort to learn what the law is"*).

¹⁷ The Chilling Effect in Constitutional Law, 69 Colum. L. Rev. 808, 842 (1969) (citing Wieman v. Updegraff, 344 U.S. 183, 195 (1952) (Frankfurter, J., concurring)).

1 18 U.S.C. § 795, 18 U.S.C. § 797, and 18 U.S.C. § 1382. In Askins, the Court
2 explained the distinction between transgressions that occur outside the perimeter of
3 an installation and those that occur inside. Askins v. US Department Of Homeland
4 Security, No. 16-55719. (9th Cir. 2018). There, photographers filed suit against
5 United States Customs and Border Protection ("CBP"), which destroyed photographs
6 they took of a port of entry. Id. The Court explained "*...even accepting that the San*
7 *Ysidro port of entry facilities are a nonpublic forum, the public's access to and use of*
8 *the transit plaza, sidewalks, and other outdoor areas is critical to determining*
9 *whether they retain their public fora status.*" Id. citing, Jacobson v. U.S. Dep't of
10 Homeland Sec., 882 F.3d 878, 884 (9th Cir. 2018). "*The limited information in the*
11 *record regarding the layout and use of the checkpoint area leaves many questions*
12 *unanswered about the specific uses of areas outside the primary and secondary*
13 *inspection zones.*" Askins v. US Department Of Homeland Security, No. 16-55719.
14 (9th Cir. 2018); citing Flower, 407 U.S. at 198-99. "*The First Amendment protections*
15 *applied equally on city streets and an open, unguarded street regularly used by*
16 *civilians that passed through a military base.*" Id.

17 **III. CONCLUSION:**

18 Mr. Springer is not disputing the Base's right to impose reasonable time, place,
19 and manner restrictions on the speech. Rather, he is arguing that, if the public is not
20 made aware of these restrictions, they are invalid. If time, place, and manner
21 restrictions are vaguely enforced and do not apprise the public of the restricted
22 nature of an area, prosecution for exercising first amendment activities under 18
23 U.S.C. § 795, 18 U.S.C. § 797, and 18 U.S.C. § 1382 is unconstitutional. Furthermore,
24 under the totality of circumstances, Mr. Springer objectively had no way of knowing
25 that the area was restricted. The failure by the base to post abide by its own Army
26 Regulations by not posting adequate signs, renders enforcement of the law by Fort
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1 Huachuca Base Authorities unconstitutional. Lastly, the nature of the intersection and
2 its unrestricted public use, inhibits the base's authority to selectively enforce the law.

3 **RESPECTFULLY SUBMITTED** this 9th day of April, 2019.

4
5 ***LAW OFFICES OF***
6 ***THOMAS E. HIGGINS, P.L.L.C***

7 By:/s/Thomas E. Higgins

8 Thomas Higgins, Esq.

9 Attorney for James Springer

10 A copy of the foregoing
11 mailed/delivered to the following
12 this 9th day of April, 2019, to:

13 Hon. Bruce McDonald

14 Captain Bradley Baugher
15 By electronic filing
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