



30 OCT 2022

**MEMORANDUM**

From: Michael J. Merritt, USN Retired/Writer  
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To: City of Newton, IA  
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Newton, IA 50208  
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**Subj: IOWA OPEN RECORDS REQUEST - CITY OF NEWTON, IA - #014**

Ref: 1. Iowa Code Title I State Sovereignty and Management, Chapter 22 Examination of Public Records (Open Records)

Enc: 1. Memorandum - Matthew Brick, Brick Gentry, P.C. - 03 MAY 2022  
2. Electronic Mail - Matthew Brick, Brick Gentry, P.C. - 27 MAY 2022  
3. Memorandum - Matthew Brick, Brick Gentry, P.C. - 05 AUG 2022  
4. Electronic Mail - Matthew Brick, Brick Gentry, P.C. - 08 AUG 2022

**1. Introduction**

City Attorney Matthew Brick it would seem you have already reported to the Iowa Public Information Board in Enclosure (3.) and myself in Enclosure (1.) that there is not an official portrait of Chief Robert Burdess of the Newton, IA Police Department. At the same time, you have acknowledged having knowledge of the website address (URL) of all official online assets belonging to the City of Newton, Iowa in Enclosure (2.)

<https://newtongov.org/527/Meet-the-Chief>

Flawless strategic execution is a form that produces a sum where the adversary is in a position where they are left with only moves that create an increased state of defeat.

Suppose you provide the requested official portraits stored and preserved in the City of Newton, IA's public hypertext document folder on their web server. This response would indicate you lied about the official status of these portraits on the City of Newton, IA, Official website regarding your response to my request for an official portrait of Chief of Police Robert Burdess.

At the same time, if you fail to provide these requested official portraits, evidence indicates are located in the City of Newton, IA's Official public hypertext document folder on the city's web server. Therefore, I will submit a request for all hypertext and multimedia public record files in the following Official City of Newton, IA, web server public directories:

<https://newtongov.org/95/City-Council-Mayor>

<https://newtongov.org/527/Meet-the-Chief>

Your false allegations accusing me of violating Iowa Code Chapter 708.7 and defamation have as much value as your documented testimony regarding the non-existence of an official portrait of Chief Burdess. I respectfully submit, Sir, the evidence, in this case, indicates you are an incompetent, entitled liar. Isn't that why you and the City of Newton, IA, have failed to file paperwork in court regarding your 05 AUG 2022 claim to the Iowa Public Information Board that my testimony is defamatory? A claim you began spreading against me on 05 AUG 2022, possibly to disqualify my testimony against your client before the Iowa Public Information Board accepted my case against your client. If your defamation and harassment allegations and your existence as a licensed lawyer in the State of Iowa had any merit, you and your client would have filed the appropriate documents to support your claims long ago.

Let's get to the point of the device you have created against me regarding halting my access to public accommodations (electronic mail) provided by the City of Newton, IA. Could the real motive be to prevent me from creating electronic-based public records (electronic mail) other citizens could request about this situation? At the same time, this alleged civil rights violation protects your client from having to provide responses that may further incriminate them regarding this overall situation.

I think the evidence, in this case, forms many solid possible conclusions, one of which is you are simply a sub-standard lawyer.

This thesis is easily supported by your inadequate performance in this case against a party with far less education than you allegedly possess.

The evidence, in this case, indicates you fail to meet numerous requirements in the Iowa Rules of the Court Chapter 32 - Iowa Rules of Professional Conduct. At the same time, you conceal three years of public records showing I am a victim of domestic abuse and sexually explicit harassment from the same assailant. Yet, your client took zero action to protect my children and I from this abuse (while articulating this female assailant's behavior was protected by the 1st Amendment) putting me in the U.S. Department of Veterans Affairs Des Moines Hospital for a week because I wanted to hang myself because I no longer could take the pain from this domestic abuse your client failed to protect me from and the betrayal of the country that I served.

The question I look forward to you and the City of Newton, IA, providing an answer to: Suppose a female's repeated sexually explicit unwanted direct communications with a male victim while utilizing an electronic-based communications device is protected by the 1st Amendment. As your client articulated during Iowa Incident Reports, you currently conceal in violation of Iowa Code Chapter 22. How do you establish that the male victim contacting your client while asking for help and providing evidence violates Iowa Code Chapter 708.7?

## **2. Requested Information**

- (a.) Official portrait of City of Newton, IA Mayor Michael L. Hansen.
- (b.) Official portrait of City of Newton, IA Council Member Mark Hallam.
- (c.) Official portrait of City of Newton, IA Council Member Melissa Dalton.
- (d.) Official portrait of City of Newton, IA Council Member Craig Trotter.
- (e.) Official portrait of City of Newton, IA Council Member Vicki Wade.
- (f.) Official portrait of City of Newton, IA Council Member Evelyn George.
- (g.) Official portrait of City of Newton, IA Council Member Randy Ervin.

(h.) Official group portrait of the City of Newton, IA Mayor and City of Newton, IA City Council.

(i.) Official portrait of City of Newton, IA City Administrator Matt Muckler.

(j.) Official portrait of City of Newton, IA City Clerk Katrina Davis.

(k.) Newton, IA Police Department Iowa Incident Report showing Michael J. Merritt violated Iowa Code Chapter 708.7 as communicated by City Attorney Matthew Brick and the City of Newton, IA on 08 AUG 2022. This criminal allegation was utilized by the City of Newton, IA, and its legal counsel City Attorney Matthew Brick as the foundation for denying Michael J. Merritt access to public accommodations (electronic mail) provided by the City of Newton, IA, to its citizens.

(l.) City of Newton, IA 03 OCT 2022 City Council Meeting multimedia file.

(m.) City of Newton, IA 24 OCT 2022 City Council Meeting multimedia file.

(n.) The originator of this request is not responsible for any costs generated by the production or organization of this data if the clerical, professional, clerical staff, legal fees, or any other required actions or costs exceed 10 hours or \$1000 (whichever comes first) without prior coordination and approval from the originator of this request.

(o.) Distribution of Requested Data: USPS Mail sent to the originator of this request.

### **3. Conclusion**

Tyranny and corruption will cease to exist on the battlefield they create for themselves as long as there is one with honor, courage, and the commitment to stand and put them to the test.

Respectfully,



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