

Exhibit 1

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

Lane Myers;
Plaintiff,
v.
Regina Romero, individual capacity;
Brandon Williams, individual capacity;
William Corrales, individual capacity;
Robert Dobell, individual capacity; and
City of Tucson, municipal corporation
and a governmental entity,
Defendants.

No. _____

AFFIDAVIT OF FACTS

Hon. _____

AFFIDAVIT OF FACTS

Plaintiff Myers files this Affidavit of Facts to best of his knowledge. Myers acknowledges all statements included herein are statements of fact. Myers files this Affidavit of Facts under penalty of perjury. All members of a BAR Association have taken an oath as officers of the court to not file frivolous filings. Myers wants the court to understand he takes this very serious, despite not being an officer of the court. Myers has extensive video evidence to provide the court of the entire incident from start to finish.

1- The City of Tucson holds regularly scheduled Mayor and City Council Meetings pursuant to Arizona Open Meeting Law ARS 38-413 et seq.

2- Pursuant to the Arizona Open Meeting Law these meetings must be open to the public ARS 38-431.01. "All meetings of any public body shall be public meetings and all persons so desiring shall be allowed to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting."

3- On June 4, 2024 Lane Myers went to Tucson City Hall to attend a regularly scheduled Mayor and Council Meeting.

4- This was Myers first time ever attending a City of Tucson Mayor and Council Meeting

- 5- Myers waited in line outside along with other attendees until he was let in through the security checkpoint after necessary searches and metal detectors
- 6- Myers was given a pamphlet as he walked in detailing that nights meeting agenda and rules of meeting decorum
- 7- Myers went to the designated location inside the meeting room to fill out a request to speak during the designated “public comment period”
- 8- Myers was given a card that required potential speakers to write their first and last name, home address, reason for wanting to speak, along with a few other questions on it
- 9- Myers knew this to be an unlawful policy pursuant to Arizona Open Meeting law which only authorizes the public body to ask “for a name, as given”, for record keeping purposes not as a requirement to speak. ARS- 38-431.01.(C)(4)
- 10- The law does not authorize nor require one to provide their First Last legal name, home address, reason for speaking, and other questions as a prerequisite to speak during “public comment period”
- 11- Myers filled out the speaker card as “Mike Oxlong” in order to remain anonymous as his 1st amendment rights allow
- 12- Myers handed the speaker card back to the clerk collecting the speaker cards

13- Myers was told unless he fills out all of the information required by the City of Tucson meeting policy he would not be called to speak by the Mayor Regina Romero

14- Myers informed the clerk that would be a violation of the Arizona Open Meetings law, as well as several of his protected liberty interests under the United States and Arizona Constitutions

15- Myers informed the clerk he would be filing a lawsuit due to the City of Tucson policy being unconstitutional on its face, and as applied to Myers

16- Myers found a seat in the peanut gallery as the Mayor and Council meeting was called to order

17- The Mayor and Council meeting began with a reading of the meeting rules of decorum by City Attorney Mike Rankin

18- During this reading of the Rules of Decorum for the Mayor and Council Meeting the City Attorney Mike Rankin read verbatim from the policy listed on the City of Tucson website, as well as the pamphlets handed out to each meeting attendee

19- During this reading of the meeting Rules of Decorum Rankin read the following statement to all attendees "Unauthorized remarks from the audience, as

well as clapping, stomping of feet, yelling, or any similar demonstrations are also prohibited.”

20- The public meeting then commenced with Mayor Romero giving a proclamation declaring some type of commemorative day in the City of Tucson for June 4th 2024

21- At the end of the proclamation by Mayor Romero the mayor initiated a round of applause that nearly the entire audience of the meeting joined in boisterously

22- Myers did not clap or boo, make any noise or gestures during this time

23- Because Myers had just heard the City Attorney Rankin indicate that clapping was not allowed per City of Tucson policy he got up and approached city of Tucson Police officer Robert Dobell who was positioned near the rear of the chamber

24- Myers sought clarifications from Dobell if clapping was allowed because the City Attorney Rankin, as well as the pamphlet given to all attendees upon entering indicated “no clapping was allowed”

25- Officer Dobell told Myers he “is not entertaining his question, and he needs to go sit down”

26- Myers told Dobell he sought clarification so that he would not be in violation of the rules of decorum if he were to clap, despite the previous warning that clapping was forbidden

27- Dobell again told Myers “go sit down, I’m not answering your question”

28- Myers then returned to his seat in the peanut gallery as directed so as not to be disruptive of any person or the meeting itself

29- Mayor Romero then issued another proclamation making a declaration that June 4th, 2024 was some type of day of recognition for the City of Tucson

30- At the conclusion of her declaration Mayor Romero again initiated a round of applause that nearly the entire audience joined in, again

31- During this period of Mayor Romero initiated political expression of clapping in praise of her proclamation, Myers lightly “booed” a few times simultaneous to the entire audience clapping

32- The entire clapping and cheering audience responded to Myers “boo” by immediately increasing the frequency, duration, and volume of their clapping and cheering

33- Myers then remained silent as the audience continued to cheer and clap vociferously

34- Upon completion of the cheering and clapping, Vice Mayor Lane Santa Cruz said into the microphone “remove the bigot” referring to Myers

35- Mayor Romero and Vice Mayor Santa Cruz then whispered something into each other’s ears and pointed at Myers

36- Mayor Romero then began her next proclamation in which she declared June 4th, 2024 some type of City of Tucson gun free zone day

37- Again at the end of her speech, Mayor Romero initiated another “round of applause” which the audience vociferously joined into with clapping and cheering

38- Myers again lightly “booed” while the entire room was clapping and cheering

39- Myers then remained silent while the rest of the crowd remained clapping and cheering

40- At the conclusion of the crowds cheering Mayor Romero said into the microphone whoever is “booing” is to be removed from the meeting

41- The entire crowd pointed at Myers

42- Mr. Myers stated back to Romero, “if they can clap, I can boo. Its his 1st amendment right”

43- Myers then sat there silently while Mayor Romero started her next proclamation

44- Myers was then approached by City of Tucson Police Officer Richard Dobell and grabbed by the shoulder

45- Officer Dobell told Myers “the Mayor wants you removed from the meeting so you must leave”

46- Myers then stated “he can not be removed from a public meeting for booing while others are clapping”, “that would be viewpoint discrimination”

47- Myers was then approached by City of Tucson police officer Sgt Brandon Williams

48- Williams stated to Myers, “you have one chance or you will be arrested”

49- Myers asked, “one chance for what?”

50- Williams responded, “one chance to leave before you will be arrested for trespassing”

51- Myers immediately stood up and started walking to the exit door of the meeting chambers as directed to comply with the order by Williams

52- As Myers was making his way to the exit door, ironically and shockingly, Mayor Romero and Vice Mayor Santa Cruz initiated a round of applause and cheer for Myers removal from the meeting

53- Myers walked out of the building and began to walk on the public sidewalk away from Tucson City Hall

54- At this point Williams then came up behind Myers and demanded that “he provide his drivers license or he would be arrested”

55- Myers asked “ why does he need to give his identification”

56- Williams stated “so Myers could be cited for trespassing”

57- Myers stated “he was on a public sidewalk, and left the meeting immediately upon being asked and therefore was not breaking any trespass laws in a traditional public forum, and would not be providing any identification due to no reasonable suspicion of a crime being committed”

58- Williams immediately grabbed Myers and put his hands behind his back and arrested him

59- Another officer then took Myers video camera away and stopped it recording

60- Williams removed Myers bodycam and stopped its recording

61- Williams then walked Myers about 500 feet behind the Tucson City Hall and made him sit on the scolding hot pavement in shorts burning Myers skin it was so hot

62- At this point Williams passed custody of Myers off to Officer William Corrales who forced Myers to remain seated on the hot pavement for approximately another 15 minutes

63- Corrales asked Myers to identify himself because he was under arrest for the charges of Disorderly Conduct, Trespassing, Failure to Identify

64- Myers then positively identified himself to Corrales

65- A City of Tucson police car then arrived to transport Myers to the Pima County Jail

66- Myers was then transported by Corrales to the Pima County Jail on charges of Disorderly Conduct, Trespassing, Failure to Identify

67- Myers was processed through the Pima County Jail and released on pretrial service

68- Myers was told he could not return to Tucson City Hall as a condition of his release

69- Myers called the City of Tucson and asked if he was allowed to return to the Mayor and City Council Meeting and was told he would be arrested if he returned before his court case was over

70- Myers was denied the ability to attend City of Tucson Mayor and council Meetings for over 6 months

71- Myers contacted internal affairs of Tucson Police Department

72- Myers contacted Arizona Ombudsman

73- Attending public meetings is a fundamental civil right, as well as required by Arizona Open Meetings law

74- Myers was forced to fight criminal charges for his arrest for “booing” while others clapped at the Mayor and Council meeting

75- Myers was forced to spend nearly 6 months fighting through the court process

76- Myers eventually had the charges dismissed by a Pima County Justice Court judge

77- The statute of limitations has expired without any further charges related to this arrest

78- No convictions were received based on this arrest for “booing” while others were clapping at the Mayor and Council meeting

6-4-2026

A handwritten signature in black ink, appearing to read 'Lane Myers', is written above a horizontal line.

Lane Myers, Pro Se