

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

**MANUEL J. POMBO,
Plaintiff**

v.

**CITY OF PROVIDENCE, by and
through its Treasurer, James J.
Lombardi, III.**

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C.A. NO. 15-

**AFFIDAVIT OF MANUEL J. POMBO, PLAINTIFF, IN SUPPORT OF
MOTION FOR PRELIMINARY INJUNCTION**

My name is Manuel Pombo and I am a street musician, or busker. I am the Plaintiff in this case. I have reviewed the complaint filed on July 14, 2015 and verify that the facts contained in the complaint are true based upon my knowledge, information, and belief.

In addition I offer the following information. After years working in factories and as a laborer, I am now disabled because of heart problems, severe arthritis, and other ailments. I play my saxophone in public because I love to play but also because I depend on the donations to help make ends meet. I have to walk from my house to the few locations near me where there are enough supportive listeners.

Walking long distances while carrying my saxophone is not easy. When a police officer forces me to either move or face arrest it means I have to walk even farther to find a new spot to play. Sometimes it means I have to leave a good location, like when police removed me from playing outside the Providence Performing Center (PPAC), or after hockey games at the Dunkin Donuts Center (the Dunk). Individuals from management at both PPAC and the Dunk have told me that it is fine with them for me to play outside. However whenever I've told the police that

the people at the facilities are fine with me playing out front, the police still force me to stop playing and move away.

In addition to the physical toll of having to pack up and move whenever the police tell me, I am now constantly worried about being arrested. This additional stress is no good for my heart condition, and takes away from being able to enjoy playing my saxophone.

Most people love hearing my music. I've been approached by people who hear me play on the street and want to hire me to play at private events, including a wedding. Even some police officers give me tips when I play.

I repeat that everything in this statement is true to the best of my knowledge, information and belief.

Manuel J. Pombo, Plaintiff

Subscribed and sworn to before me, this _____ day of July, 2015.

Notary Public

My commission expires: