

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

MICHAEL E. SPREADBURY,

CV 11-64-M-DWM-JCL

Plaintiff,

vs.

ORDER

BITTERROOT PUBLIC LIBRARY,
CITY OF HAMILTON,
LEE ENTERPRISES, INC.,
BOONE KARLBERG P.C.
DR. ROBERT BROPHY, TRISTA SMITH,
NANSU RODDY, JERRY STEELE,
STEVE SNAVELY, STEVEN
BRUNER-MURPHY, RYAN OSTER,
KENNETH S. BELL, and JENNIFER LINT,

Defendants.

Plaintiff Michael Spreadbury, appearing pro se, has filed a motion titled “Leave File Motion for Sanctions Perjury, False Swearing.” The motion is, in substance, a motion for sanctions under Fed. R. Civ. P. 11(c) as against Defendant Lee Enterprises’s attorney, Mr. Jeffrey B. Smith. Mr. Spreadbury, however, has

not established that he complied with the “safe harbor” provision of Fed. R. Civ. P. 11(c)(2). Thus, the motion is properly denied, subject to renewal, if appropriate, upon compliance with Fed. R. Civ. P. 11(c)(2). See, *Winterrowd v. American General Annuity Ins. Co.*, 556 F.3d 815, 826 (9th Cir. 2009).

IT IS SO ORDERED.

DATED this 7th day of October, 2011.

/s/ Jeremiah C. Lynch
Jeremiah C. Lynch
United States Magistrate Judge