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*Pro Se Plaintiff*

**FILED**  
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PATRICK E. DUFFY, CLERK  
By \_\_\_\_\_  
DEPUTY CLERK, MISSOULA

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

MICHAEL E. SPREADBURY	) Cause No: cv-11-64-DWM-JCL
Plaintiff	)
v.	) <b>OBJECTION TO BOONE</b>
BITTERROOT PUBLIC LIBRARY,	) <b>SEALED STATEMENT OF</b>
CITY OF HAMILTON,	) <b>UNDISPUTED FACTS</b>
LEE ENTERPRISES, INC.,	)
BOONE KARLBERG, PC,	)
_____	)

Comes now Spreadbury with objection to Defendant Boone request for court to allow statement of undisputed facts under seal.

Brief in Support

Defendant City of Hamilton used unlawful use of City Police Force in the aforementioned to deprive Spreadbury established right under color of law.

Defendant Boone imputed crime in Joint Function Test, Defendants interfered with 2009 mayor election as in Public Function Test with Defendant City of Hamilton by way of peaceful assembly August 20, 2009 at Defendant Public Library 306 State St. Hamilton Montana USA *Johnson v. Knowles 113 F. 3d at 1118-1120 (9<sup>th</sup> cir., 1997)*. Defendant Lee published that Defendant city police “answered calls about Spreadbury 13 times” although no arrests, citations, or warnings were made. Spreadbury holds “public trust” National Security Clearance issued by FEMA Jan 2008 (Appendix A).

On October 4, 2011 Defendant, and official policymaker Chief Ryan Oster unlawfully entered Spreadbury’s residence captured on video. Defendant Oster’s unlawful act demonstrates to the court continuous unlawful activity of Defendants pled by Spreadbury as proof of need for injunctive relief from Defendant City of Hamilton (2<sup>nd</sup> Amended Complaint ¶237-232; TR. #10). Unlawful entry is an equal protection violation by Defendant Oster, protected in the 14<sup>th</sup> Amendment US Constitution. Defendant Hamilton Chief of Police made policy by entering residence under color of law without permission as “everything OK” called over his police radio *Monell v. City of New York Social Services 436 US 658 (1978)*.

To date this esteemed and Honorable Court has failed to protect Spreadbury from civil rights deprivations under color of law as is prescribed in 42 USC § 1983.

Police reports are pretext to actual behavior of Spreadbury, deprivation of rights under color of law. Spreadbury is not under investigation, nor has ever committed a crime in Montana. Due to Montana's 48<sup>th</sup> ranking, Spreadbury is scrutinized unlawfully by Defendant City Police, and this Honorable court. Defendant request to court to allow sealed City of Hamilton Police reports are met with motion for sanctions served upon Boone on this date for 21 day safe harbor per FRCP 11. Bad faith litigation, abuse of judicial process, pleading not in well grounded fact are well established reasons for Spreadbury request for sanctions, and notice.

This District court has not upheld Spreadbury's fundamental right to peaceful assembly in the aforementioned August 20, 2009 at the public property adjacent to the Bitterroot Public Library August 20, 2009.

Court is asked to reject request for police records under seal. Only fact remains is Spreadbury's fundamental right not upheld. Court is directed to Appendix A Spreadbury National Security Clearance. Spreadbury wishes to denounce court for indicating use of IFP as advantage. Defendants in this case have caused IFP status, and Honorable Judges have to answer for depriving fundamental right to Spreadbury in aforementioned.

Defendant Boone is a defendant in this case, and pleading in bad faith without grounded facts outside the pretext of the City of Hamilton Police Department.

Defendant City of Hamilton Police imputed crime, published defamation in official police reports as Spreadbury freely spoke in a website formerly published in Hamilton Montana. This is example of deprivation of right allowed by this court by Defendant City of Hamilton, Montana. Spreadbury has reviewed material from Defendant City of Hamilton Police reports for non-related matter and have found several deprivations to speech, equal protection protected in the US Constitution, asked to be allowed by this court by Defendant Boone. The US Judiciary for the US District Court Missoula Division is asked to deny the requests as deprivation or established right, defamation, badgering, and harassment listed under a Rule 11 sanction before this court. Court is given notice of service on this date to commence the safe harbor of Defendant Boone for making harassing attempt before this court in violation of FRCP rule 11, subject to sanction.

Spreadbury presents national security clearance, unlawful activity of Defendant Oster as **RED FLAGS** for proper court action who has failed to protect Spreadbury for continuous deprivations by Defendants under color of law in aforementioned. Court should revisit injunctive relief, wrongfully denied of Spreadbury as ongoing deprivations continue in violation of the US Constitution. Court is not protecting Spreadbury from continuous deprivations found in Defendant City Police reports as pled in 2<sup>nd</sup> Amended Complaint (TR. #10) and unlawfully requested before this court.

Spreadbury asks court to take this pleading liberally, to begin court injunction against Defendant City of Hamilton as needed.

WHEREFORE, this court is asked to deny request to ad unlawful and defamatory City Police Reports, and revisit injunctive relief of Defendants depriving established rights of Spreadbury.

Certificate of Compliance

From LR 7(d)(2)(E) US District Court Rules Montana, I certify that this brief conforms with 14 point font, New Times Roman typeface, is double spaced, contains 763 words excluding title page, this compliance.

Two (2) attached Appendix 1, A + B

Attached to this Pleading is a 1pg. **Appendix A:**

Spreadbury National Security Clearance letter from FEMA.

APPENDIX B - DVD of 30 sec unkwnt entry 10/4/11

Respectfully submitted this 14<sup>th</sup> day of October, 2011

BY: \_\_\_\_\_

Michael E. Spreadbury, Self Represented Plaintiff

Certificate of Service

Cause No. CV-11-0064-DWM-JCL

I certify as Plaintiff in this action, a copy of the below named motion was served upon the US District Court Missoula Division and all opposing counsel for parties in this above named cause of action by first class mail. The following addresses were used for service:

*Objection to Boone Sealed Statement of Undisputed Facts*

*Leave File Rule 11 Sanctions Harassment (Boone)*

Russell Smith Federal Courthouse

Clerk of Court

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Missoula, MT 59803

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Dated \_\_\_\_\_ 10/14/11 \_\_\_\_\_



Michael E. Spreadbury, Pro Se Plaintiff