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CLERK, U.S. DISTRICT COURT
DISTRICT OF MONTANA
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.) LEAVE FILE MOTION
BITTERROOT PUBLIC LIBRARY,) RULE 11 SANCTIONS
CITY OF HAMILTON,) HARASSMENT
LEE ENTERPRISES, INC.,)
BOONE KARLBERG, PC,)
_____)

Comes now Spreadbury with request leave file sanctions on Defendant Boone.

Brief in support

Defendant City of Hamilton has used its police reports to defame Spreadbury and deprive Spreadbury established right under color of law as pled in 2nd Amended complaint (TR. # 10). Defendant Boone is abusing the judicial process with

request before court for admission of police reports under seal served upon the Honorable Court 11 day of October *Chambers v. Nasco 501 US at 38 (1991)*.

Defendant Boone was made aware of the unlawful entry into Spreadbury residence 4 October 2011 and instead of limiting unlawful deprivation of Spreadbury's established right, is asking court to allow more defamatory, unlawful material into the court docket.

Boone is exhibiting bad faith litigation conduct which requires court sanctions via rule 11 FRCP *Chambers v. Nasco 501 US at 42 (1991)*. Sanctions under rule 11 are founded when a litigant's "... action was so without factual and legal foundation that it can be considered frivolous or unreasonable. *Zaldivar v. Los Angeles*, 590 F.Supp. 852, 856 (C.D.Cal.1984)." By asking the Court to allow police reports that knowingly defame Spreadbury, and deprive established right, Defendant Boone is litigating in bad faith, in a harassing, time consuming fashion.

Furher, Defendant Boone's pleading has to be well grounded in fact, as police reports did not state any findings of fact that Spreadbury violated law, in violation of Rule 11 *Pierce v. Underwood 487 US 552 n.2 (1988)*. Hamilton Police reports about Spreadbury are nothing more than Keystone Cop reports attempting to discredit, defame for the 2009 election due to no criminal activity, and only imputing more unlawful activity by Defendant City of Hamilton. Due to the

harassment involved by sealing reports, including them as undisputed findings of fact violate Rule 11 of the FRCP and require sanctions as pled herein.

The Honorable Court is urged to sanction Defendant Boone for using request for Defendant City of Hamilton Police reports that harass, impute crime of Spreadbury when no actual misconduct has occurred. Reports deprive Spreadbury established right, Court must uphold oath to protect Constitutional rights of Spreadbury with equal protection protected Amedment 14 US Constitution.

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 323 words excluding title page, this compliance.

Respectfully submitted this ^{14th} day of October, 2011
re-submitted 4th day of November

BY: _____

Michael E. Spreadbury, Self Represented Plaintiff