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**By PATRICK E. DUFFY, CLERK
DEPUTY CLERK, MISSOULA**

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Pro Se Plaintiff

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

MICHAEL SPREADBURY)	Cause No: CV-11-61-M-DWM
Plaintiff)	
v.)	The Honorable Donald W. Malloy
BITTERROOT PUBLIC LIBRARY,)	Judge Presiding
CITY OF HAMILTON,)	
LEE ENTERPRISES, INC.,)	
BOONE KARLBERG, PC,)	

MOTION FOR APPOINTMENT OF COUNSEL PER F.R.Civ.P 44(a)

Comes now Plaintiff Michael Spreadbury (hereafter "Plaintiff") unrepresented and indigent with motion for court to appoint counsel. Plaintiff has made attempt to find counsel as is attached as Exhibit A.

Plaintiff has attended March 29, 2011 Social Security Disability hearing, and has documented disability in the State of Montana. Plaintiff expects to receive disability income from the federal government.

A Vocational Specialist for the State of Montana has documented the disability and recently closed Plaintiff's case due to no ability to meet vocational standards, or for Plaintiff to seek, or maintain gainful employment due to malicious prosecution, defamation, conspiracy to deprive rights as pled in aforementioned.

Plaintiff is eligible for, has right to counsel per F.R.Civ.P. 44(a). Legal assistance is an established property right, which qualifies as entitlements citing:

“Over the years the court has found a wide range of property interests that qualify as entitlements, including mere possessory interests in chattels (Fuentes v. Shevin, 1972), *intangible interests such as causes of action* (Logan v. Zimmerman Brush Co., 1982) the right of an employer to discharge an employee for cause (Brock v. Roadway Express Inc. 1987), a child's entitlement to a public school education (Goss v. Lopez 1975), and continued gas and electric service conditioned upon payment of proper charges (Memphis Light, Gas & Water v. Craft, 1978)”

“No otherwise qualified individual with a disability in the United States....shall solely by reason of her or his disability be ...denied the benefits of , or be subjected to discrimination under any program or activity receiving Federal financial assistance 29 USC§794(a).

Without legal assistance, Plaintiff is prevented from being able to properly present his case before this Honorable Court.

I have contacted the following attorney(s) and Firms approached about defamation:

Phillips Law Firm, fax transmission requesting written response, February 1, 2011

Leanne paralegal at office, to forward to associate.

Datsopoulos, McDonald & Lind, fax request for written response February 1, 2011

JR Castillas, associate.

Boone Karlberg PC telephone conversation with Scott Stearns saying at time Defendant Lee Enterprises was retained, and could not bring action, circa 2010.

Opposing counsel for Lee Enterprises do not object to this motion, no counsel could be reached at 1500hrs on this date Boone Karlberg PC for other defendants.

The Plaintiff hereby requests appointment of counsel due to potential merits, anticipated conflicting testimony which requires a lawyer's presentation of evidence and cross examination. Plaintiff has interest in justice in this case.

Respectfully submitted this 2nd day of May, 2011

BY: _____

Michael E. Spreadbury Pro Se

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Attach: Exhibit A (3 pg.)