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**RECEIVED**  
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CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA

*Pro Se Plaintiff*

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

MICHAEL E. SPREADBURY	) Cause No9:11- cv-0064-DWM-JCL
Plaintiff	)
v.	) <b>LEAVE FILE MOTION</b>
BITTERROOT PUBLIC LIBRARY,	) <b>TO RECONSIDER</b>
CITY OF HAMILTON,	) <b>LEE, CITY DEFAMATION</b>
LEE ENTERPRISES, INC.,	)
BOONE KARLBERG, PC,	)
_____	)

Comes now Spreadbury requesting leave of court to file reconsideration Defendant City, Lee defamation with LR 7.3 new information before court.

Motion

Plaintiff requests leave of court, moves court to accept specific defamatory material in evidence against Defendant City, Lee.

Defendant opposes motion.

Brief in Support

Defendant Lee published AP stories on or around August 20, 2010 which contained false information about Plaintiff, quoted City Defendant Bell in false statement against Plaintiff.

Defendant Bell quoted by Lee: Defamation

Defendant Lee published article December 9, 2009 that Defendant Roddy *felt* threatened of Plaintiff (PLA 327). Defendant City Prosecutor Bell committed Official Misconduct MCA§45-7-401(PLA 090) in appearing for Defendant Librarian Roddy (affidavit: PLA 089) November 20, 2009 outside statutory duties (PLA 091) under order of Defendant City Judge Michael Reardon (PLA033) in an action for criminal trespassing on public property Plaintiff has liberty, property interest (tax paid to city for library: PLA 032) Amendment 5, 14 US Constitution.

It is clear with Plaintiff evidence that Defense Actors acted together to deprive Plaintiff right to peaceful assemble, liberty, property as protected in US Constitution.

Defendant Lee articles on or around August 20, 2010 in 2<sup>nd</sup> Amended Complaint (Doc. #10; ¶68-73) one year after peaceful assembly, protected Amendment 1 US

Constitution, not in Federal Rules (Text Order; Doc. #67). City Defendant Bell quoted in Defendant Bell is quoted in Defendant Billings Gazette AP story (PLA 332) as saying Plaintiff “threatened the staff”. An identical quote was made in AP story from Defendant Helena Independent Record (PLA 333). There is no evidence, nor admission of guilt of threatening any person in Ravalli Co. (*Notice of Speech, Law Violation; Modified Exhibit: No probable cause felony charge Exhibit B*; served November 21, 2011), (Plaintiff affidavit of October 6, 2010: PLA 267). Plaintiff has published a request for a world audience to “Find (his) threat” and has access to [www.findmythreat.com](http://www.findmythreat.com). No person has indicated they have found a threat of the Plaintiff of any person. Plaintiff has made affidavit in this case (PLA 094-095) that no crime has been committed or admitted to in Hamilton, MT.

#### Supreme Court “upheld” Library Ban of Plaintiff

As stated in 2<sup>nd</sup> Amended Complaint (Doc. #10) Lee published 4 articles on or around August 20, 2010 one year after Plaintiff peacefully assembled on public property at 306 State St. Hamilton, to which Plaintiff is taxpayer (PLA 032) establishing property, liberty interest Amendment 1, 14 US Constitution.

On August 10, 2010 Montana Supreme Court denied Plaintiff out of time appeal (PLA 255-266). In no way was this order upholding Defendant Library unlawful ban (PLA 044). Plaintiff was never asked to leave library, testimony of Gloria

Langstaff February 18, 2010 in CR-2009-53 Hamilton City Court, Plaintiff Affidavit in case (PLA 007-009). Letter to unlawfully remove privileges (PLA 044) indicated Defendant Library operation polices V.10 (PLA051-053). Roddy protection order did not have finding of fact, conclusion of law, opposed controlling authority (PLA 197-205) which *allowed* intimidation by Bonemarte, dismissed protection order as parties were not related, pending charges, not in relationship as in aforementioned *Edelen v. Bonemarte 162 P. 3d 487 Mont (2007)*.

As Defendant Bell is quoted that Spreadbury threatened : is published false information actionable in the aforementioned.

***“It was (Spreadbury) that frightened and threatened the staff.”*** (PLA 332-333).

Spreadbury has posted on internet, sentenced to 72 hours solitary confinement for chalking sidewalk with the request for any person to find his threat. No one has answered, and no threats are found in information for felony intimidation contained within those “find my threat” documents.

Due to AP nature of story, most radio, TV and internet within Montana covered the story of Spreadbury “threatening” Defendant library staff, patrons which has no findings of fact or conclusions of law. The USA Today publication, circulation 1.8M daily publication in USA, UK online viewers published story.

Montana Code Ann. for Library Privileges found in MCA§22-1-311. Statute indicates library board, not librarian, not board president Defendant Brophy can remove privileges as patron “willfully violates rules” (PLA 077). As Defendant Library never informs Spreadbury of behavioral, rule violations, or *ever* requests removal from the library, Board President Robert Brophy acts outside law, in violation of Board President duties (PLA 001-002; PLA 192) MCA§ 22-1-309 [Trustees—Powers and Duties]. Defendant Library Director Langstaff letter of June 11, 2009 removing Spreadbury’s Privileges was not lawful due to 1) no adherence to Library Policy to request a patron to leave 2) Never asking Spreadbury to leave library for any reason. Brophy’s August 20, 2009 letter “fully backing” Library Director acted outside of Montana Code Ann. MCA§22-1-311 [Use of Library—Privileges] and therefore a violation of Brophys power as a library trustee as stated in Montana Code Ann.

The four (4) stories three (3) as AP stories (PLA 332-334) one non-AP (PLA 335) that the Supreme Court upheld library ban were false: 1) the actual order did not uphold (or “essentially” uphold) an unlawful ban of Spreadbury’s library privileges in violation of Amendment 5, 14 US Constitution, but is evidence of conspiracy to deprive right 42 USC§1983 amongst City, Library, Lee Defendants in the aforementioned.

August 9, 2009 Lee Article

Defendant Boone actor Natasha Prinzing Jones articulated that Defendant Bell was *allowed* in a civil courtroom, and added that no statute stated that he was not in court, and was reflected in the August 9, 2010 oral argument (PLA 228-237) and Lee Article. Lee did not fact check, and misquoted Spreadbury saying Bell was only allowed in a city court although transcripts clearing indicate Spreadbury told court Bell could not appear for non-city party in a civil courtroom (see transcript PLA 228-237). Spreadbury was not talking about emotional distress as Lee reporter misquoted Spreadbury “lost in space” as Bell outside statutory authority, and duties MCA§ 7-4-4604 committing Official Misconduct MCA§ 45-7-401 in article (PLA 284-285). Defendant Lee indicated, false attributed to Spreadbury supervision of Angela Wetzsteon in August 9, 2010 article. August 17, 2007 affidavit of Judge Bailey (PLA 254-257) indicates Angela Wetzsteon not supervised, although Wetzston, Corn affidavit (PLA 258-264) indicate perjury before the Court. Spreadbury clearly said in oral argument Wetzsteon was not supervised (PLA 212-227) as a law student although Lee attributed supervision as Spreadbury’s speech.

Defendant Lee in August 9, 2010 article falsely attributed Spreadbury’s three cases worth \$675,000 as “spralling cases” worth \$3.6M (PLA 284). Defendant Lee published article June 9, 2010 [30 days earlier] which correctly indicated \$3.6M

complaint against Sheriff Hoffman [Spreadbury I] (PLA 280). Defendant Lee published known false information in August 9, 2010 about Spreadbury cases as “eyewitness” reporter *Michell v. US 368 A. 2d 514 - DC: Court of Appeals (1977)*.

As Defendant Bell is quoted as saying Spreadbury threatened staff at Defendant public library within Defendant Lee article protecting Defendant Public library is indication of violation of right to liberty, property Amendment 5, 14 US Constitution actionable as pled 2<sup>nd</sup> Amended Complaint (Doc. #10).

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 1151 words excluding title page, this compliance.

Respectfully submitted this 28<sup>th</sup> day of February, 2012

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

Michael E. Spreadbury, Self Represented Plaintiff