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FILED
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Pro Se Plaintiff

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

MICHAEL E. SPREADBURY) Cause 9:11- cv-00064-JCL-DWM
Plaintiff)
v.) **MOTION TO FIND**
BITTERROOT PUBLIC LIBRARY,) **LEE ENTERPRISES INC.**
CITY OF HAMILTON,) **IN CONTEMPT OF COURT**
LEE ENTERPRISES, INC.,)
BOONE KARLBERG, PC,)
_____)

Comes now Spreadbury moving court to find Defendant Lee Enterprises Inc.
(hereafter "Lee") in contempt of court in the aforementioned.

Motion:

Spreadbury respectfully moves Honorable Court to find Lee Enterprises in
contempt of court due contempt for court authority, statutory provisions.

This motion is opposed by Defense counsel.

Brief in Support:

Lee has pled before this court on three occasions for summary judgment including the most recent pending (Doc. #259). The Honorable Judge Donald W. Malloy has made opinion (Doc. #249) that Spreadbury's status as a private citizen or public figure needs to be briefed before this court or sent to the jury. Lee is in contempt of this order 28 USC§1927; Montana Code Ann. MCA§ 45-7-309(c) as Lee filed its third summary judgment before this court.

Multiple attempts at summary judgment are a harassment to this court, Spreadbury does not have to establish bad faith for District Court to discipline Lee *Zaldivar v. City of Los Angeles* 780 F. 2d 823 (9th Cir, 1986). District Court has authority to control rules, cases before it *Chambers v. Nasco* 501 US 32 (1991). Spreadbury alleges Lee knew public figure standard does not apply to report on judicial proceeding, publication of false conviction nullifies Lee argument for summary judgment *Time Inc. v. Firestone* 424 US at 453-455(1976). The New York Times standard applies to public officials, and reasonable grievances airing free speech; Lee published false conviction, attempted to hide fact by false sworn statement before this court (Doc. #124).

Lee purposely published a grossly inaccurate account of an August 6, 2010 oral argument in an August 10, 2010 article which is a misdemeanor crime for Criminal Contempt MCA§45-7-309(e). Lee reported Angela Wetzsteon supervision attributed to Spreadbury although no reference is made in official transcript (PLA 212-226). As Judicial sworn statement of August 17, 2007 indicates Wetzsteon was not supervised (PLA 254-257). As no supervision occurred, attributed to Spreadbury Lee vindicates Wetzsteon's impostor status, a felony 18 USC§1001.

The monetary demand was published as \$3.6 Million in Lee's August 9, 2010 article although the actual demand was one-sixth (1/6) as much at \$675,000 (PLA 243 -250). The court paperwork was available to the reporter via 21st District Court clerk in the Ravalli County Courthouse, or a Lee article June 9 2010 (written 30 days earlier PLA 280-281) Although the Lee reporter for the August 9, 2010 article correctly reported a false statement by a Boone Karlberg PC claiming no statute to restrict City Attorney Bell from a civil courtroom, the act was not researched, fact checked, and is actually a crime of Official Misconduct MCA§45-7-401 (PLA090). As Lee publishes in August 9, 2010 article false light of Bell "lost in space" as Spreadbury emotional distress, Bell was actually lost as to his duties as City Attorney; the false light and false attribution injures Spreadbury.

Lee is in contempt of court for failing to adhere to a lawful order of this court (Doc. #249), harassment of court by filing frivolous pleadings, and for a grossly

inaccurate report of a judicial hearing August 6, 2010. As Lee publishes Spreadbury false conviction, it is libel per se as public figure status does not attach to reports of judicial hearing *Time Inc. v. Firestone* 424 US at 453 (1976).

Court is given notice of concurrent motion for Rule 11 sanctions, brief in support sent to Lee in “safe harbor” for 21 days. Court is further noticed Spreadbury to file opposition to third (3rd) Summary Judgment prior to 21 days allowed under Fed. R. Civ. P 56.

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 579 words excluding title page, this compliance.

Respectfully submitted this 12th day of April, 2012

BY: _____

Michael E. Spreadbury, Self Represented Plaintiff

Certificate of Service

Cause No. 9:11-cv-0064-JCL-DWM

I certify as Plaintiff in this action, a copy of the below named pleading 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:

Motion for Rule 11 Sanctions against Lee Enterprises Inc.

Motion to find Lee Enterprises Inc. in contempt of court.

Russell Smith Federal Courthouse

Clerk of Court

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Missoula, MT 59803

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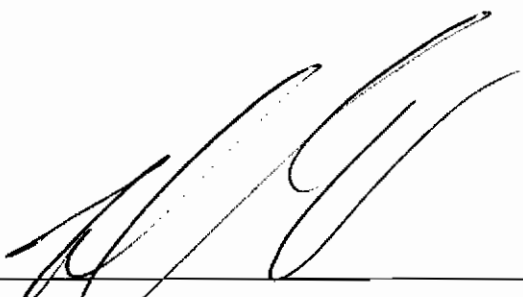
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PO Box 7909

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Dated _____ 4/12/12 _____



Michael E. Spreadbury, Pro Se Plaintiff