

Michael E. Spreadbury
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Pro Se Plaintiff

FILED
APR 20 2012
By PATRICK E. DUFFY, CLERK
DEPUTY CLERK, MISSOULA

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

MICHAEL E. SPREADBURY)	Cause 9:11cv-064-DWM-JCL
Plaintiff)	
v.)	
BITTERROOT PUBLIC LIBRARY,)	AFFIDAVIT OF MICHAEL
CITY OF HAMILTON,)	E. SPREADBURY IN
LEE ENTERPRISES, INC.,)	OPPOSITION TO
BOONE KARLBERG, PC,)	SUMMARY JUDGMENT
_____)	

Comes now Spreadbury with affidavit to in opposition to Lee summary judgment in violation to Courts Order Doc. #249; briefing required on Spreadbury public figure status. Lee is in contempt of court by filing third (3) summary judgment motion to dismiss; report on judicial hearing precludes Spreadbury as public figure impeaches Lee argument for dismissal as vexatious F.R.Civ.P. Rule 11.

First being sworn, Michael Spreadbury states as follows:

1. I am Michael E. Spreadbury Plaintiff in this case.
2. I did not ask to be prosecuted by an unsupervised law student in violation of my state inalienable right to protect property [Art. II s. 3 MT Constitution] and life; my 6th Amendment US Constitutional right to speedy trial, confrontation of witnesses August 8, 2007.
3. I did not ask to have my last name indentified in approximately 30 front page articles, nor have false convictions, facts, false light defamation, defamatory comments published in all six Lee Enterprises affiliates in Montana and posted on the Associated Press wire from 2007-2010.
4. I did ask Lee Enterprises in writing, telephone, and email to stop defaming me, and a request in person July 9, 2009 discovered in evidence in this case.
5. Lee Enterprises admitted and affirmed to me in court ordered discovery response of their status as a newspaper publisher served March 22, 2012.
6. Newspaper publishers such as Lee Enterprises, TV stations, Radio stations are not protected from liability from publishing defamatory comments about me in the Communications Decency Act 47 USC§230 as is found in discovered evidence, pleadings in this case.

7. Defamatory comments, considered defamation per se as mental health, disqualifying career comments, published by Lee, discovered in evidence in this case include the August 9, 2010 Lee article and several other Lee articles are extremely defamatory to my character.
8. I have never been convicted or accused of Disturbing the Peace. Simple fact checking protocol methods refused by my discovery request to Lee to determine if Lee reporter, editor, or publisher should have caught this error in the August 9, 2010 report on a judicial hearing published by Lee Enterprises unclear prior to trial.
9. I am not a public figure who can shape policy decisions for local governments where I live, or anywhere else, although I advocated for public issues, filed law cases to redress injury, and admit running for local office June through November 2009 which classified me for a short time in 2009 as a public official as supported in the complaint, evidence in this case.
10. I presented oral argument August 6, 2010 for three (3) cases with a combined complaint for \$675,000 grossly misreported on by Lee Enterprises as \$3.6M; Lee falsely attributed the law student as supervised (as in #2 above) to me in an article reporting on this hearing dated August 9, 2010 falsely published I was convicted of Disturbing the Peace although no court

record indicated such status for me at time of publication by Lee Enterprises or now.

11. I did not thrust myself into a controversy, rather I am attempting to redress injury for Lee's false publication of conviction August 9, 2010; I suffered severe emotional distress due to the publication of false conviction, and defamatory comment August 9, 2010 manifested in my full disability discovered as evidence, and meeting the Montana prima facie case for Emotional Distress for falsely being accused of a crime by Lee.
12. I asked Lee to correct the August 9, 2010 article in regard to the false publication of conviction; Lee in their attempt at correction did not identify which of the two convictions published in the August 9, 2010 article falsely attributed to me they were trying to correct. In the August 24, 2010 attempt at correction for the August 9, 2010 article Lee included information published in an August 10, 2010 order (in evidence) falsely attributing, with malice the Montana Supreme Court to an unlawful ban on my privileges in 2009 from the Bitterroot Public Library, extremely defamatory to my character as the Library ban was never mentioned in the order, nor a part of the case being decided, nor correcting Lee's error of false conviction for me.
13. I was appealing Defendant City's malicious conviction for trespass on private property although I actually peacefully assembled on City public

property (certified map in evidence) from the unincorporated, and unlawful City of Hamilton at time of Lee August 9, 2010 article which omitted the appeal for the trespass case, although Lee covered initial appearance, trial in several publication as presented in complaint, and evidence in this case. The appeal resulted in a dismissal on August 16, 2010 as is discovered in evidence.

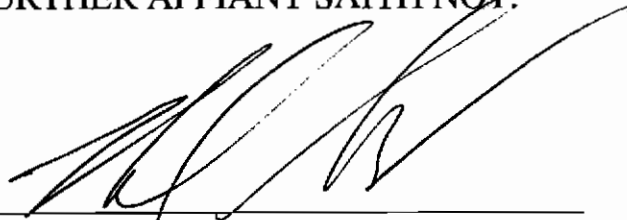
14. As the August 9, 2010 Lee article was a report on a Judicial Hearing, I am considered a private person in the Federal courts supported by controlling authority to this District Court.

15. The law student, Angela Wetzsteon sat behind me August 6, 2010 at the judicial hearing published by Lee August 9, 2010. In oral argument I described to the court supervisory attorney George Corn has no immunity as he assigned an unsupervised law student in administrative task violating my established right to speedy trial, confrontation of witness as supported in transcript evidence in this case for the August 6, 2010 hearing.

16. I have been issued a Public Trust National Security Clearance from DHS FEMA Jan. 2008; in evidence, which shows no convictions, supported by November 22, 2011 affidavit in this case indicating no convictions in my criminal background.

17. Lee's publication of multiple convictions in August 9, 2010 article as one conviction was on appeal, one alleged conviction absolutely false, in conjunction with defamatory comment about my mental health published with the August 9, 2010 article showed Lee's actual malice, and established severe emotional distress prima facie case as false accusation, conviction of a crime published by Lee August 9, 2010.

FURTHER AFFIANT SAITH NOT.



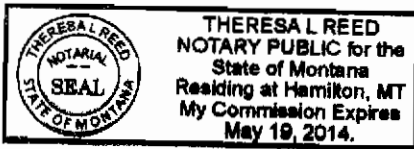
MICHAEL E. SPREADBURY

Before me, a Notary Public for the State and County aforesaid, appeared Michael E. Spreadbury who is known to me or who provided photo identification and executed the affidavit in my presence.

Theresa L. Reed Name of Notary Public

Theresa L. Reed Notary Public Signature

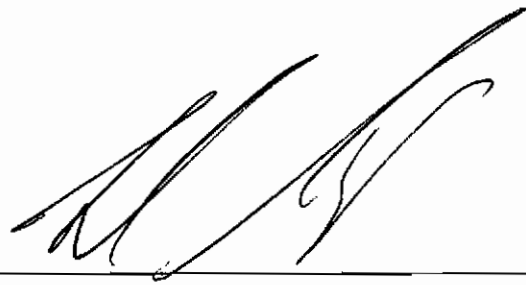
May 19 2014 my commission expires



I hold the above to be true, under penalty of perjury.

Respectfully submitted this 18th day of April, 2012

BY: _____

A handwritten signature in black ink, appearing to read "Michael E. Spreadbury", written over a horizontal line.

Michael E. Spreadbury, Self Represented Plaintiff