

223 South Sec . Street, Hamilton, Montana 59840 * Phoi. +06-363-6823

IN HAMILTON CITY COURT, STATE OF MONTANA

CITY OF HAMILTON
Plaintiff

Case No. CR-2009-0000053

vs.

Conditions of Release Order
2ND AMENDED

Michael E Spreadbury
Defendant.

The above named defendant was charged with misdemeanor offense(s) of: Criminal Trespass To Property in violation of 45-6-203, M.C.A.

The above named Defendant will be released on \$ bail, posted by , with these conditions:

- 1. Defendant is to personally appear for each proceeding on this case unless he seeks permission from this Court to have an attorney appear in his/her place. Failure to appear at a jury confirmation hearing, or jury trial, constitutes a waiver of jury.
2. Defendant must not leave THE CONTINENTAL U. S. Missoula/Ravalli Counties unless given express permission by this Court to do so.
3. Defendant is to maintain weekly contact with his/her attorney once retained or appointed; failure to do so shall be reported directly to the Court by counsel.
4. Defendant must notify the Court and Defense Attorney with any change regarding address, telephone number, or place of employment immediately.
5. Defendant must not be involved in any criminal activities nor be convicted of any criminal offense pending disposition of this case.
6. Defendant must not contact any witnesses or victims associated with this case. TO INCLUDE ANY BITTERROOT LIBRARY BOARD MEMBER, EMPLOYEE, VOLUNTEER STAFF
7. Defendant must not enter any bars, taverns, casinos or other establishments where alcohol is the chief item of sale.
8. Defendant is not to possess or consume any alcohol or drugs, unless by a doctor's prescription;
9. Defendant must submit to a test for alcohol/drugs (Blood, Breath or Urine) at the request of the Court or Law Enforcement or . Presence of any alcohol or drugs or refusal to submit to a test may cause immediate violation of this Order.
10. DEFENDANT NOT TO BE WITHIN 600' OF THE BITTERROOT LIBRARY EXCEPT WHEN NECESSARY & ESSENTIAL TO CONDUCT PERSONAL BUSINESS PROMPTLY AT THE U.S. POST OFFICE AND CITY & COUNTY OFFICES
10 a. AND THAT DEFENDANT OBEY THIS COURT'S ORDER OF PROTECTION THIS DATE
11. Violation of any condition may be punishable as contempt and result in arrest. THIS ORDER EXTENDS ONLY TO KNOWING PURPOSEFUL VIOLATION

SERVED IN COURT
Defendant

2009 09
Date

Michael J. R.
Judge

OK : TO FILE

COPY TO : HAMILTON
POLICE DEPT.

FILED
DERRIE HARMON, CLERK

MAY 20 2010

DEPUTY

1 John W. Larson, District Judge
2 Fourth Judicial District Dept. 3
3 Missoula County Courthouse
4 Missoula, MT 59802
5 (406) 258-4773

6 MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT,
7 RAVALLI COUNTY

8 NANSU RODDY, Plaintiff,

Cause No. DV-10-93/20

9 v.

ORDER ON APPEAL OF CITY
COURT ORDER OF
PROTECTION

10 MICHAEL E. SPREADBURY,

11 Defendant.

12 The Permanent Order of Protection issued in Hamilton City Court on
13 November 20, 2009, which expires on November 20, 2014, has been
14 transmitted to District Court. On February 17, 2010, Michael Spreadbury
15 filed a request for relief with respect to the Order of Protection.
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18 This Court references the January 19, 2010, Hamilton City Court's
19 Order Denying Second Motion for New Trial wherein the Order states that in
20 addition to being the Respondent in the above Order of Protection, Michael
21 Spreadbury is also a Defendant in Ravalli District Court Cause No. DC-10-
22 26, charged with trespassing on the library premises after being ordered off
23 the premises (the Honorable John W. Larson presiding); and also a
24 Defendant in Ravalli District Court Cause No. DC-09-154 where he is
25
26

5/18/10

1 charged with the felony offense of Intimidation in which the victim is a senior
2 library employee (the Honorable Douglas G. Harkin presiding).

3 As stated in the Hamilton City Court Order Denying a Second Motion
4 for a New Trial, the incident giving rise to the intimidation charge is the
5 same incident which gave rise to the Order of Protection and entailed
6 demand that the employee pressure the City Attorney into dropping the
7 misdemeanor charge. The court in each prosecution has ordered
8 conditions of release which effectively deny Mr. Spreadbury access to the
9 library.
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12 For these reasons,

13 IT IS HEREBY ORDERED that the Permanent Order of Protection
14 shall remain in effect consistent with the Hamilton City Court Order of
15 November 20, 2009.
16

17 DATED this 18th day of May, 2010.

18
19 
20 JOHN W. LARSON, District Judge

21 Copies of the foregoing were sent to:

22 *AK* Kenneth S. Bell, Esq.
23 *5-2-10* Hamilton City Attorney
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Hamilton, MT 59840
(406) 363-2101 x21

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26 (406) 363-3877