

Missoulian

Groggy defendant seeks to delay Ravalli County court hearing on intimidation charges

By PERRY BACKUS Ravalli Republic | Posted: Thursday, December 3, 2009 10:15 pm

HAMILTON - A groggy Michael Spreadbury asked for a continuance of his initial appearance in Ravalli County District Court on felony intimidation charges Thursday.

The former Hamilton mayoral candidate told Ravalli County District Judge James Haynes that he didn't know about the hearing and was sleeping when the call came from his lawyer just after 9 a.m.

Spreadbury is charged with threatening a Hamilton librarian on Nov. 4.

He had been in the Missoula County Detention Center until earlier this week on \$10,000 bail set in Justice Court. After Haynes reduced bail to \$1,500, Spreadbury was released from jail.

His attorney, Nick Miller, told Haynes the hearing notice was sent to the Missoula County Detention Center and arrived after Spreadbury had been released.

"It is not his fault," Miller said.

Spreadbury had several exchanges with Haynes during the short hearing that followed. When Haynes asked him about his ability to proceed with the hearing, Spreadbury replied: "I just woke up about five minutes ago. I'm a little bit groggy."

Spreadbury then took offense when Haynes asked him the standard question of whether he was on any drugs, alcohol or prescription medications that could inhibit his ability to proceed. Spreadbury replied that he had observed many different court proceedings and that he'd never seen a judge ask this type of question of a defendant.

Spreadbury also told Haynes that he doesn't believe there is probable cause for him to be charged in this case.

"That needs to be addressed very, very soon," he said.

In a motion to reduce bail, Miller said Spreadbury may bring a motion to dismiss the case at a later date.

"The allegations do not include any accusation that force or violence was used, nor that any threat of bodily injury was communicated to the alleged victim, seriously undermining the state's ability to prove an essential element of the intimidation crime charged," Miller wrote.

The intimidation charges stem from an alleged encounter Spreadbury had with Nansu Roddy as she left the Bitterroot Public Library at about midday on Nov. 4.

Spreadbury had earlier been charged with misdemeanor criminal trespass at the library after he was banned from the premises because he insisted he be allowed to place a letter accusing local public officials of violating citizen's right on the library's reserve shelf.

He pleaded not guilty in that case in Hamilton City Court. A trial has been set for January.

The affidavit filed in the felony case said Spreadbury confronted Roddy in a parking lot and asked her to do something about the charges he faced. When she said she couldn't, the affidavit said Spreadbury became more agitated. Roddy told officers she felt threatened and ran to her car.

Spreadbury has a history of confrontation with people.

Last February, the Ravalli County Commission wrote Spreadbury a letter asking him to stop harassing county employees.

According to public records, police have responded 13 times since April 2008 to complaints about Spreadbury's behavior at the library, the county administration building, the county clerk of court's office, the Ravalli Republic, the Hamilton School District, Marcus Daly Memorial Hospital, KMSO 102.5 Mountain FM and the Ravalli County Fairgrounds.

All of the complaints allege that he acted inappropriately, which Spreadbury denies.

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