

Michael E. Spreadbury  
700 S. 4<sup>th</sup> Street  
Hamilton, MT 59840  
Telephone: (406) 363-3877  
[mspread@hotmail.com](mailto:mspread@hotmail.com)

**FILED**

JUL 27 2011

PATRICK E. DUFFY, CLERK  
By DEPUTY CLERK, MISSOULA

*Pro Se Plaintiff*

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

MICHAEL E. SPREADBURY	)	Cause No: CV-11-64-DWM-JCL
Plaintiff	)	
v.	)	
BITTERROOT PUBLIC LIBRARY,	)	<b>FIRST REQUEST</b>
CITY OF HAMILTON,	)	<b>INJUNCTIVE RELIEF</b>
LEE ENTERPRISES, INC.,	)	
BOONE KARLBERG, PC,	)	
_____	)	

Comes now Spreadbury with motion , brief in support of equitable relief as presented before this court as injunctive relief.

Motion

Spreadbury moves that this court grant equitable relief as required in 42 USC s. 1983 before US District Courts, well established court precedent presented herein.

Brief in Support

A cause of action under 42 USC s. 1983 which seeks equitable relief has right to request injunctive relief. Spreadbury has requested injunctive relief from this court in Spreadbury v. Hoffman et. al. request ignored, as was the right to have service of summons for pro se civil rights claim under 42 USC s. 1983. The Honorable Malloy gave immunity to a law student as a Supreme Court Intern, although interns in the high court do not engage in court activity as Wetzsteon did solo prior to admission to the Montana Bar October 9, 2008. Honorable Malloy did ignore 18 USC 455 et. seq. for having paid association with the University of Montana Law School, and offered clinic experience to Wetzsteon, an indicator or prior bias. This court now stands on the notion that a "relationship" would impute bias; of note Ms. Wetzsteon has given birth since the clinic experience without a change of name or known marriage.

With respect to the injunctive relief requested in the aforementioned, Spreadbury pled an order to stop defamation of character from Defendant Lee Enterprises Inc, further constitutional violation of the exceptionally high instances arising from the Hamilton Montana Police Department against Spreadbury, an order to compel Boone Karlberg PC from further defamation which continued in pleadings in aforementioned, out of scope information FRCP 26 et. seq. information before an ancillary court FRCP 26 (B)(viii) [see Motion for Protective Order July 18, 2011].

Lastly, Spreadbury pled for equitable relief to establish proper lawful library privileges taken outside of constitutional rights, and to quash a civil order of protection without finding of fact, rule of law against Spreadbury.

*Once a right and a violation have been shown, the scope of a district court's equitable powers to remedy past wrongs is broad, for breath and flexibility are inherent in equitable remedies.*

*Rizzo v. Goode 423 US 362 (1976) citing Swann et. al. v. Charlotte-Mecklenberg Board of Ed. et. al. 402 US 1 (1971).*

Chief Ryan Oster accused of policy or custom in aforementioned violating Spreadbury's right to liberty protected in Amendment 5, 14 US Constitution, shows inability of law enforcement supervisors to take action to correct violations *Monell v. NYC Dept. of Social Services 436 US 658 (1978)*. Spreadbury has right to equitable relief under 42 USC s. 1983 if law enforcement supervisors do not take action *Rizzo at 378*. The Honorable Court is reminded of Spreadbury v. Hoffman Cause No. 9:10-cv-00049-DVM where injunctive relief is requested from the Ravalli County Sheriff, the Ravalli County Attorney Office, Ravalli County Judiciary; case is pending before the 9<sup>th</sup> Circuit of Appeals as 10-36086.

This Honorable Court is reminded that equitable relief is granted via 42 USC s. 1983 *Giles v. Harris 189 US 475 (1903)*. When patterns of infraction are

exceptionally high injunctive relief is necessary *Council of Organizations on Philla. Police A&R v. Rizzo 357 F. Supp. 1289 (Dist. Court E.D. PA, 1973).*

Spreadbury has been subjected to broad violations of constitutional rights 18 USC s. 242 with supervisors Hoffman, Oster refusing to alter their respective departments in Ravalli County Montana. Federalism considerations determine the availability and scope of equitable relief is necessary *Doran v. Salem Inn Inc. 422 US 922 (1975).*

Spreadbury prays equitable relief before this court 42 USC s. 1983 with first request for injunctive relief, proper before this court as counts #22-25 in 2<sup>nd</sup> Amended Complaint before this court in the aforementioned.

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 617 words excluding title page, this compliance.

Respectfully submitted this 18<sup>th</sup> day of July, 2011

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

Michael E. Spreadbury, Self Represented Plaintiff