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7

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

FEB - 9 2005  
GARY M. DAVIS, Executive Officer  
CARRIE L. WAGNER, County Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SANTA BARBARA  
10 SANTA MARIA DIVISION

11  
12 THE PEOPLE OF THE STATE OF CALIFORNIA, )

No. 1133603

13 Plaintiff, )

PLAINTIFF'S REQUEST FOR  
LEAVE TO TARDILY FILE  
14 PLAINTIFF'S REPLY TO MOTION  
TO LIMIT INTRODUCTION OF  
15 EVIDENCE OF PRIOR  
LITIGATION INVOLVING THE  
16 DOE FAMILY; DECLARATION  
OF GERALD McC. FRANKLIN

17 v

18 MICHAEL JOE JACKSON,

19 Defendant. )

20 The People respectfully request leave to file Plaintiff's Reply to Motion to Limit  
21 Introduction of Evidence Involving The Doc Family a day after the cut-off date fixed by the  
22 briefing schedule.

23 As described in the accompanying Declaration, the establishment of the  
24 "residence/satellite office" in Santa Maria for the District Attorney's trial lawyers has both its  
25 advantages and disadvantages. Among the disadvantages is a delay in transmitting documents  
26 received from the defense, conferring on the appropriate response thereto and finalizing draft  
27 versions of a given response and putting it into an acceptable format for service and filing.

28 The accompanying Plaintiff's Reply to Motion to Limit Introduction of Evidence

1 Involving The Doc Family was served on Defendant in timely fashion on February 8, 2005 and  
2 the related documents later the evening of the same day. Hearing on this and other "Evidence  
3 Code section 402" motions will not be calendared for until a jury has been empanelled in this  
4 matter. The Court will therefore be able to consider all of the submissions relating to a given  
5 motion well before the hearing on a given motion.

6 In the circumstances, and with Plaintiff's assurance that every effort to serve and  
7 file all responsive pleadings within the time limits set by the Court, leave to file this Reply  
8 somewhat tardily is earnestly requested.

9 DATED: February 8, 2005

10  
11 THOMAS W. SNEDDON, JR.  
District Attorney

12  
13 By: 

Gerald McC. Franklin, Senior Deputy

14 Attorneys for Plaintiff

DECLARATION OF GERALD McC. FRANKLIN

I, Gerald McC. Franklin, say:

1. I am a lawyer admitted to practice in the State of California. I am a Senior Deputy of the District Attorney of Santa Barbara County. I am one of the lawyers of record for the People, Plaintiff in this action.

2. I am the deputy with responsibility for writing or editing and typing virtually all of Plaintiff's written submissions to the Court in this matter, including the accompanying Plaintiff's Reply to Motion to Limit Introduction of Evidence Involving The Doe Family, filed contemporaneously with this request for leave to file that Reply tardily.

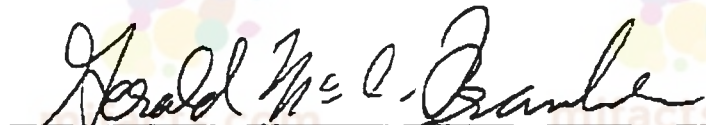
3. The District Attorney has leased temporary living quarters for himself and his trial deputies in this matter, which also will serve them and our support staff as a satellite office during the trial.

4. I perform my particular function in our Santa Barbara office, because access to my research resources and the necessary word processing tools would be severely limited in that satellite office.

5. Documents from defense counsel come to this office, but kinks in the procedure for the timely distribution of those documents to both me and the trial lawyers in this matter have only lately become apparent.

6. For those reasons, the careful consideration of and response to defendant's opposition to several of our motions regrettably has been delayed somewhat.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct, except as to matters stated upon my information and belief, and as to such matters I believe it to be true. I execute this declaration at Santa Barbara, California on February 8, 2005.



Gerald McC. Franklin

PROOF OF SERVICE

STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA

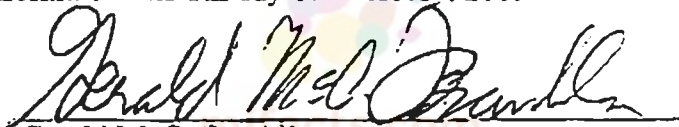
} SS

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and I am not a party to the within-entitled action. My business address is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara, California 93101.

On February 8, 2005, I served the within PLAINTIFF'S REQUEST FOR LEAVE TO TARDILY FILE PLAINTIFF'S REPLY TO MOTION TO LIMIT INTRODUCTION OF EVIDENCE INVOLVING THE DOE FAMILY, ETC. on Media Counsel and on Defendant, by THOMAS A. MESEREAU, JR., ROBERT SANGER and BRIAN OXMAN, by transmitting a true copy thereof on defendant's counsel by fax at the confidential fax number in Santa Maria and to Media's counsel at the facsimile number shown with the address for counsel on the attached Service List.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Santa Barbara, California on this 8th day of February, 2005.

  
Gerald McC. Franklin

SERVICE LIST

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