

FEB 18 2005

GARY M. BLAIR, Executive Officer
BY *Carrie L. Wagner*
CARRIE L. WAGNER, Deputy Clerk

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

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,
v.
MICHAEL JOE JACKSON,
Defendant.

No. 1133603

~~PROPOSED~~
ORDER DIRECTING THAT
PLAINTIFF'S TRIAL BRIEF
ON ADMISSION OF
CO-CONSPIRATORS'
STATEMENTS REMAIN
UNDER CONDITIONAL SEAL
PENDING FURTHER ORDER
OF COURT

It appearing from the Declaration of Gerald McC. Franklin and from the Plaintiff's Trial Brief on Admission of Co-Conspirators' Statements that information that hitherto has been sealed is set forth in the Trial Brief, disclosure of which may prejudice the right of the parties to a fair trial and the privacy of individuals alleged to be victims in the Indictment, the Court orders as follows:

1. Plaintiff's Trial Brief on Admission of Co-Conspirators' Statements is conditionally sealed;
2. The motion to maintain that document under conditional seal until further order of court shall be heard on ~~February 23, 2005, at 8:30 a.m.~~
3. The Court will consider the moving party's suggested redacted version of Plaintiff's Trial Brief on Admission of Co-Conspirators' Statements, and may, between the

ORDER CONDITIONALLY SEALING PLAINTIFF'S TRIAL BRIEF ON ADMISSION OF CO-CONSPIRATORS' STATEMENTS

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date of this Order and February 22, 2005, release a redacted version of the Trial Brief.

DATED: February 18, 2005

Rodney S. Melville

RODNEY S. MELVILLE
Judge of the Superior Court

PROOF OF SERVICE

1013A(1)(3), 1013(c) CCP

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am a citizen of the United States of America and a resident of the county aforesaid. I am employed by the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is 312-H East Cook Street, Santa Maria, California.

On FEBRUARY 18, 2005, I served a copy of the attached ORDER DIRECTING THAT PLAINTIFF'S TRIAL BRIEF ON ADMISSION OF CO-CONSPIRATORS' STATEMENTS REMAIN UNDER SEAL PENDING FURTHER ORDER OF COURT addressed as follows:

THOMAS A. MESEREAU, JR.
COLLINS, MESEREAU, REDDOCK & YU, LLP
1875 CENTURY PARK EAST, 7TH FLOOR
LOS ANGELES, CA 90067

THOMAS W. SNEDDON, JR.
DISTRICT ATTORNEY'S OFFICE
1112 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

MAIL

By placing true copies thereof enclosed in a sealed envelope with postage fully prepaid, in the United States Postal Service mail box in the City of Santa Maria, County of Santa Barbara, addressed as above. That there is delivery service by the United States Postal Service at the place so addressed or that there is a regular communication by mail between the place of mailing and the place so addressed.

PERSONAL SERVICE

By leaving a true copy thereof at their office with the person having charge thereof or by hand delivery to the above mentioned parties.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail, in a sealed envelope, with express mail postage paid.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 18TH day of FEBRUARY, 2005, at Santa Maria, California.


CARRIE L. WAGNER