

APR 19 2005

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

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County of Santa Barbara  
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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, )  
14 ) v. ) PLAINTIFF'S EMERGENCY  
15 ) ) MOTION TO QUASH  
MICHAEL JOE JACKSON, ) DEFENDANT'S SUBPOENA  
16 ) ) FOR MANUEL RAMIREZ  
17 ) Defendant. ) DATE: TBA  
18 ) ) TIME: 8:30 a.m.  
DEPT: SMS (Melville)

19 A. Introduction

20 This is Plaintiff's emergency motion for an order quashing defendant's  
21 subpoena for one Manuel Ramirez as a witness for the defense. This motion is made on  
22 the ground that (a) Mr. Ramirez is a new recruit in the United States Marine Corps; (b)  
23 Mr. Ramirez is not a percipient witness to any of the events relevant to this lawsuit, and  
24 (c) his pending transfer to South Carolina for training will be put on "hold" unless the  
25 subpoena is quashed.

26 B. Supporting Facts

27 Private Manuel Ramirez is a new recruit in the United States Marine Corps. He is  
28

1 currently stationed at Camp Pendleton waiting to commence his training. His training  
2 consists of a three week program at Camp Pendleton, followed by two months of training  
3 in South Carolina.

4 Because Private Ramirez was served with a defense subpoena to appear on April  
5 22, 2005 in the above entitled case he has not been allowed to begin his training program  
6 and is currently sitting at Camp Pendleton, inactive, until he testifies or until his subpoena  
7 status has been resolved.

8 Private Ramirez knows nothing of the facts of this case. He was subpoenaed to  
9 appear in court because he is Davellin Arvizo's boyfriend and refused to give a statement  
10 to the defense investigator. The investigator told him he would have to go to court if he  
11 did not talk with him and then served him with a subpoena.


12 Private Ramirez first met Davellin in 2001 when both were explorers with the Los  
13 Angeles Police Department. They began dating in July 2003. Davellin has not discussed  
14 the facts of this case with him, nor have either of her brothers, her mother or her step  
15 father. He has no information to give and should be allowed to begin his military  
16 training.

17 Unless Defendant can give a reasonable offer of proof as to Private Ramirez' value  
18 as a defense witness -- if necessary, in camera -- this motion to quash should be granted  
19 and he should be allowed to continue his service to this country.

20 DATED: April 19, 2005

21 Respectfully submitted.

22 THOMAS W. SNEDDON, JR.  
23 District Attorney

24 By:   
25 Ronald Zonen, Deputy  
26 Attorney for Plaintiff



1 I declare under penalty of perjury that the foregoing is true, except for  
2 matters stated upon my information, and as to such matters I believe it to be true.  
3 I execute this declaration in Santa Maria on April 19, 2005

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6 RONALD J. ZONEN

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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 April 19, 2005, I served the within PLAINTIFF'S EMERGENCY  
MOTION TO QUASH DEFENDANT'S SUBPOENA FOR MANUEL RAMIREZ on Defendant,  
by THOMAS A. MESEREAU, JR., ROBERT SANGER and BRIAN OXMAN,  
by personally delivering a true copy thereof to counsel in open court. I declare  
under penalty of perjury that the foregoing is true and correct.

Executed at Santa Maria, California on this 19th day of April,  
2005.

