

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

APR 22 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,  
13 Plaintiff,  
14 v.  
15  
16 MICHAEL JOE JACKSON,  
17 Defendant.

No. 1133603  
PLAINTIFF'S REQUEST FOR  
USE IMMUNITY FOR  
CYNTHIA MONTGOMERY  
(Pen. Code, § 1324)  
DATE: TBA  
TIME: 8:30 a.m.  
DEPT: TBA (Melville)

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19  
20 The People respectfully show:

21 1. A trial in the above-captioned matter is underway. in which the People seek a  
22 conviction of Michael Joe Jackson for conspiracy (Pen. Code, § 182) and on several counts of  
23 violating Penal Code section 288, subdivision (a) (lewd acts upon a child under the age of 14),  
24 a count of an attempt to commit that offense, and three counts of violating Penal Code section  
25 277 (administering an intoxicating agent to a child to enable him to commit a felony violation  
26 of section 288, subdivision (a) upon that child), alleged to have been committed between  
27 February 20, 2003 and March 12, 2003.

28 2. CYNTHIA MONTGOMERY, subpoenaed as a witness by the prosecution, has

1 asserted her right to refuse to answer certain questions concerning her actions and observations  
2 while in the employ of Defendant Michael Jackson.

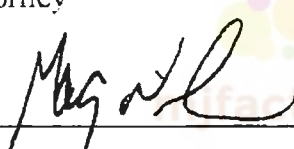
3 3. CYNTHIA MONTGOMERY's testimony is material on the issues before the  
4 trier of fact in the above prosecution.

5 4. WHEREFORE, the District Attorney's Office of the County of Santa Barbara,  
6 State of California, hereby requests the Judge of the Superior Court presiding over the ongoing  
7 trial to order the said CYNTHIA MONTGOMERY to testify under a grant of **use immunity**  
8 pursuant to Penal Code section 1324, which provides in part as follows:

9 [N]o testimony or other information compelled under the order  
10 [compelling testimony] or any information directly or indirectly  
11 derived from the testimony or other information may be used against  
12 the witness in any criminal case. But he or she may nevertheless be  
13 prosecuted or subjected to penalty or forfeiture for any perjury, false  
14 swearing or contempt committed in answering, or failing to answer,  
15 . . . in accordance with the order.

16 DATED: April 22, 2005

17 THOMAS W. SNEDDON, JR.  
18 District Attorney

19 By:   
20 Mag Nicola  
21 Senior Deputy District Attorney

22 Attorneys for Plaintiff  
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