

JUN 27 2015

GARY M. BLAIR, Executive Officer  
By Carrie L. Warner  
CARRIE L. WARNER, Deputy Clerk

1 **COLLINS, MESEREAU, REDDOCK & YU**  
Thomas A. Mesereau, Jr., State Bar Number 091182  
2 Susan C. Yu, State Bar Number 195640  
1875 Century Park East, 7<sup>th</sup> Floor  
3 Los Angeles, CA 90067  
Tel.: (310) 284-3120, Fax: (310) 284-3133

4 **SANGER & SWYSEN**  
5 Robert M. Sanger, State Bar Number 058214  
Stephen K. Dunkle, State Bar Number 227136  
6 233 East Carrillo Street, Suite C  
Santa Barbara, CA 93101  
7 Tel.: (805) 962-4887, Fax: (805) 963-7311

8 Attorneys for Defendant  
MICHAEL JOSEPH JACKSON

9  
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION

12  
13 THE PEOPLE OF THE STATE OF CALIFORNIA,

14 Plaintiffs,

15 vs.

16  
17 MICHAEL JOSEPH JACKSON,

18 Defendant.

) Case No. 1133603

) RESPONSE TO MEDIA MEMORANDUM RE  
) REQUEST TO INSPECT AND COPY  
) EXHIBITS INTRODUCED AS EVIDENCE

) Honorable Rodney S. Melville

) Date: TBD  
) Time: TBD  
) Dept: SM 2

19  
20  
21  
22 ///

23  
24 ///

25  
26 ///

27  
28 RESPONSE TO MEDIA MEMORANDUM RE REQUEST TO INSPECT AND COPY EXHIBITS  
INTRODUCED AS EVIDENCE

1 ARGUMENT

2 I.

3 THERE IS NO AUTHORITY FOR THE PROPOSITION THAT THE MEDIA IS  
4 ENTITLED TO MAKE REPRODUCTIONS OF COURT EXHIBITS FOLLOWING A  
5 TRIAL

6 The media has not cited authority to support the proposition that the press or the public is  
7 entitled to copy court exhibits following the conclusion of a trial. There is a significant  
8 difference between being allowed to see exhibits that were admitted into evidence and being  
9 allowed to possess them, delay the return of the exhibits to the rightful owners, and to make  
10 reproductions for entertainment purposes.

11 While the media has cited cases that generally support public access to court records,  
12 there is no support for the argument that the public has the right to make reproductions of  
13 materials seized from a defendant's home following the conclusion of a criminal trial. These  
14 materials, including videotapes, were seized pursuant to the Court's search warrant power. The  
15 issuance of a search warrant does not give the public the right to make reproductions of the  
16 seized materials.

17 Furthermore, Penal Code Section 1417.5 governs the disposition of exhibits after the final  
18 determination of an action. Section 1417.5 does not contain any provisions which support the  
19 position that the Court may hold certain exhibits so that they may be copied by the media.  
20

21  
22 ///

23  
24 ///

25  
26 ///

27  
28 RESPONSE TO MEDIA MEMORANDUM RE REQUEST TO INSPECT AND COPY EXHIBITS  
INTRODUCED AS EVIDENCE

1 II.

2 CONCLUSION

3 The Court should deny the media's motion to inspect an copy exhibits. .

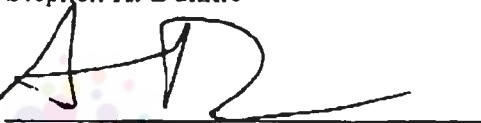
4 Dated: June 27, 2005

5 Respectfully submitted,

6 COLLINS, MESEREAU, REDDOCK & YU  
7 Thomas A. Mesereau, Jr.  
8 Susan C. Yu

9 SANGER & SWYSEN  
10 Robert M. Sanger  
11 Stephen K. Dunkle

12 By:



13 Stephen K. Dunkle  
14 Attorneys for Defendant  
15 MICHAEL JOSEPH JACKSON

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  

---

RESPONSE TO MEDIA MEMORANDUM RE REQUEST TO INSPECT AND COPY EXHIBITS  
INTRODUCED AS EVIDENCE

PROOF OF SERVICE

I, the undersigned declare:

I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 233 East Carrillo Street, Suite C, Santa Barbara, California, 93101.

On June 27, 2005, I served the foregoing documents on the interested parties in this action by depositing a true copy thereof as follows: RESPONSE TO MEDIA MEMORANDUM RE REQUEST TO INSPECT AND COPY EXHIBITS INTRODUCED AS EVIDENCE on the interested parties in this action by depositing a true copy thereof as follows:

Santa Barbara County District Attorney  
1112 Santa Barbara Street  
Santa Barbara, CA 93101  
Fax 805-568-2398

Gibson, Dunn & Crutcher LLP  
Theodore J. Boutros Jr.  
William E. Thomson  
Michael H. Dore  
333 South Grand Avenue  
Los Angeles, CA 91171  
Fax - 213-229-7520

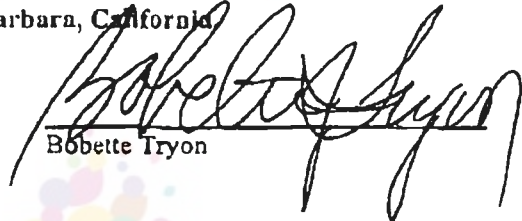
       **BY U.S. MAIL** - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.

  X   **BY FACSIMILE** - I caused the above-referenced document(s) to be transmitted via facsimile to the interested parties

       **BY HAND** - I caused the document to be hand delivered to the interested parties at the address above.

  X   **STATE** - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed June 27 2005, at Santa Barbara, California

  
Bobette Tryon