

OCT 08 2004

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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 (~~Proposed Redaction~~)
13 Plaintiff,)
14 v.) RESPONSE TO DEFENSE MOTION
15) COMPELLING DISCLOSURE OF
16 MICHAEL JOE JACKSON,) INFORMANT'S IDENTITY
17 Defendant.)
18) DATE: October 14, 2004
19) TIME: 8:30 a.m.
20) DEPT.: SM 2 (Melville)
21) UNDER SEAL

21 The Defense seeks by way of motion disclosure of certain individuals described as
22 confidential, reliable informants or sources of information detailed in various search warrant
23 affidavits listed in their moving papers. In support thereof, they attach various Exhibits
24 referencing particular pages within those affidavits.

25 The first two items (Exhibits 1 and 2) seek the identity of the confidential informant
26 outlined in the original November 17, 2003, affidavit. On August 12, 2004, the People
27 disclosed the identity of that informant to be [REDACTED]. The Defense is apparently not
28 convinced, because [REDACTED] testified he did not know that law enforcement had used that

1 designation in the Affidavit in Support of the Search Warrant. The fact remains that [REDACTED]
2 [REDACTED] testified in the 1538.5 hearing to the events associated with the activities of the
3 confidential informant. [REDACTED] is the person referenced in the original affidavit and in
4 Exhibits 1 and 2.

5 As to the informant referenced in Search Warrant Affidavits #4946 (Exhibit 4), #5006,
6 #5007, #5008 (Exhibits 7, 8 and 9), and #5135 (Exhibit 10, paragraph 1), the informant was
7 disclosed through discovery reports on October 8, 2004. The informant's identity was
8 previously withheld as set forth in the People's August 12, 2004, letter to the Defense pursuant
9 to the provisions of Penal Code section 1054.7. Inasmuch as this is no longer necessary,
10 complete discovery of all reports and statements by that previously withheld informant have
11 now been provided to the defense and the informant identified as [REDACTED].

12 Similarly, the informant referenced in Search Warrant Affidavit #4946 (Exhibit 4) was
13 withheld for the same reason. Since there is also no longer any necessity for that individual's
14 identity to be withheld, all reports and statements related to that informant were also disclosed
15 on October 8, 2004. That informant has been identified as [REDACTED].

16 As to the Defendant's reference to generalized informational sources referenced in
17 #4915 (Exhibit 3) and #5135 (Exhibit 10, first paragraph), there are no informants and the
18 sources of that information are set forth in detail in the original Affidavit in Support of the
19 Search Warrant issued on November 17, 2003, or reports already discovered to the Defense.

20 II. CONCLUSION

21 Inasmuch as the People are in compliance with the discovery requirements set forth in
22 Penal Code section 1054.1 and 1054.7 no longer applicable as to the informants disclosed
23 above, the defense motion should be taken off calendar or denied.

24 Executed at Santa Maria, California, on October 6, 2004.

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26 
27 THOMAS W. SNEDDON, JR.
28 DISTRICT ATTORNEY