

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

OCT 22 2004

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 MARJA DIVISION**

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

No. 1133603


~~PROPOSED~~
ORDER DIRECTING THAT
PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO
RECUSE THE DISTRICT
ATTORNEY, ETC. REMAIN
UNDER CONDITIONAL SEAL
PENDING FURTHER ORDER
OF COURT

It appearing from the Declaration of Gerald McC. Franklin and from the Plaintiff's Opposition to Defendant's Motion to Recuse the District Attorney, etc. that information that hitherto has been sealed is set forth in the Opposition, 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 Opposition to Defendant's Motion to Recuse the District Attorney, Etc. is conditionally sealed;
2. The motion to maintain that document under conditional seal until further order of court shall be heard on November 4, 2004, at 8:30 a.m.;
3. The Court will consider the moving party's suggested redacted version of Plaintiff's Opposition to Defendant's Motion to Recuse the District Attorney, and may,

1 between the date of this Order and November 4, 2004, release a redacted version of the
2 Opposition.

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4 DATED: October 22, 2004


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6 RODNEY S. MELVILLE
7 Judge of the Superior Court

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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 OCTOBER 22, 20 04, I served a copy of the attached ORDER DIRECTING THAT PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO RECUSE THE DISTRICT ATTORNEY, ETC., REMAIN UNDER CONDITIONAL SEAL PENDING FURTHER ORDER OF COURT addressed as follows:

THOMAS W. SNEDDON, DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE
1105 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

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

X FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 568-2398 (District Attorney's Office); (310) 861-1007 (Thomas Mesereau, Jr.). 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 22ND day of OCTOBER, 20 04, at Santa Maria, California.


CARRIE L. WAGNER