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17 Attorneys for Defendant
18 **MICHAEL JOSEPH JACKSON**

19 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
20 **FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION**

21 **THE PEOPLE OF THE STATE OF**
22 **CALIFORNIA,**

23 Plaintiffs,

24 vs.

25 **MICHAEL JOSEPH JACKSON,**
26 Defendant.

Case No. 1133603

NOTICE OF MOTION AND MOTION FOR
JURY QUESTIONNAIRE (C.C.P. § 223)

~~UNDER SEAL~~

Honorable Rodney S. Melville
Date: December 23, 2004
Time: ~~10:00 am~~ 9:30 AM
Dept: SM 8

27 TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE DISTRICT
28 ATTORNEY OF THE COUNTY OF SANTA BARBARA, TOM SNEDDON, AND DEPUTY
DISTRICT ATTORNEYS GERALD FRANKLIN, RON ZONEN AND GORDON
AUCHINCLOSS:

NOTICE OF MOTION AND MOTION FOR JURY QUESTIONNAIRE (C.C.P. § 223)

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

DEC 13 2004

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

1 PLEASE TAKE NOTICE that on December 23, 2004, or as soon thereafter as the matter may
2 be heard, before the Honorable Rodney S. Melville, defendant Michael Joseph Jackson, through his
3 counsel, will and hereby does move for an order permitting a consolidated jury questionnaire, and
4 for such other relief as the Court may deem just and proper. This motion is made on the grounds
5 that a jury questionnaire contributed to by defense counsel and the prosecution would streamline the
6 voir dire process and protect the interest of both parties of ensuring a fair trial.

7 This motion is brought pursuant to California Code of Civil Procedure § 223. This motion
8 is based on this notice of motion, the attached memorandum of points and authorities, the file and
9 record and any other information presented prior to a ruling hereon.

10 Dated: December 13, 2004

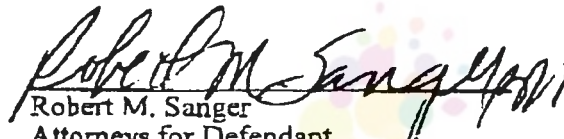
11 Respectfully submitted,

12 COLLINS, MESEREAU, REDDOCK & YU
13 Thomas A. Mesereau, Jr.
Susan C. Yu

14 SANGER & SWYSEN
15 Robert M. Sanger

16 OXMAN & JAROSCAK
Brian Oxman

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18 By:

19 
20 Robert M. Sanger
21 Attorneys for Defendant
22 MICHAEL JOSEPH JACKSON

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NOTICE OF MOTION AND MOTION FOR JURY QUESTIONNAIRE (C.C.P. § 223)

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 THE COURT HAS THE DISCRETION TO AUTHORIZE THE USE OF A JURY
4 QUESTIONNAIRE

5 "The court may submit to the prospective jurors additional questions requested by the
6 parties as it deems proper." (C.C.P. § 223.)

7 A jointly prepared jury questionnaire would serve to streamline the voir dire process and
8 would help to ensure the selection of a jury that will be fair to both sides.

9 II.

10 CONCLUSION

11 Therefore, based on the reasons set forth above, Mr. Jackson requests that the Court
12 exercise its discretion and order that the parties prepare a consolidated jury questionnaire.

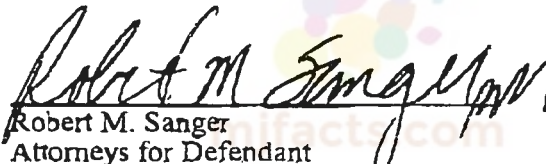
13 Dated: December 13, 2004

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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 December 13, 2004, I served the foregoing document **MOTION FOR JURY QUESTIONNAIRE, EXPARTE APPLICATION TO SEAL MOTION FOR JURY QUESTIONNAIRE AND REDACTED VERSION** on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon
District Attorney
1105 Santa Barbara Street
Santa Barbara, CA 93101
805-568-2398

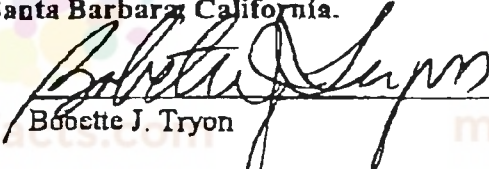
BY U.S. MAIL - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid 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.

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

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

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

Executed December 13, 2004 at Santa Barbara, California.


Bobette J. Tryon