

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JAN 25 2005

GARY M. BLAIR, Executive Officer
Gary M. Blair
CARRIE L. WAGNER, Deputy Clerk

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY
County of Santa Barbara
2 By: RONALD J. ZONEN (State Bar No. S5094)
Senior Deputy District Attorney
3 GORDON AUCHINCLOSS (State Bar No. 150251)
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA BARBARA
10 SANTA MARLA DIVISION

SANTA BARBARA COUNTY
SUPERIOR COURT
SANTA MARLA DIVISION

05 JAN 25 PM 2:15

RECEIVED

11
12
13 THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff.
14 vs.
15
16 MICHAEL JOE JACKSON,
Defendant.
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No. 1133603
PLAINTIFF'S REPLY TO
DEFENDANT'S
OPPOSITION RE:
ADMISSION OF EXPERT
TESTIMONY ON
BATTERED WOMEN'S
SYNDROME AT TRIAL
DATE: January 28, 2004
TIME: 9:30 AM
DEPT.: SM2 (Melville)

21 Ignoring defendant's ongoing abusive and supercilious remarks about the victim's
22 credibility, he articulates only two valid concerns in his opposition. First, he wants to know
23 the expert witness's name. Second, he wants assurance that the proper foundation for that
24 witness's evidence will be laid pursuant to Evidence Code Section 1107, subdivision (b).

25 Addressing the first concern, the name of the People's expert witness in this area
26 was discovered to the defense in their original witness list sent to them in December¹.
27
28

¹ See page 5; line 2 of People's Second Amended Witness List


1 Addressing defendant's second concern; defendant may rest assured that the People
2 will lay the proper foundation for this evidence before it is admitted at trial.
3

4 DATED: January 24, 2005

5 Respectfully submitted,

6 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY

7
8 By:


9 GORDON AUCHINCLOSS
Senior Deputy District Attorney

10 Attorneys for Plaintiff
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PROOF OF SERVICE

STATE OF CALIFORNIA }
COUNTY OF SANTA BARBARA } SS

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and I am not a party to the within-entitled action. My business address is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara, California 93101.

On January 18, 2005, I served the within PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION RE: EVIDENCE CODE § 402 ISSUES on Defendant, by THOMAS A. MESEREAU, JR., ROBERT SANGER, and BRIAN OXMAN by personally delivering a true copy thereof to Mr. Sanger's office in Santa Barbara, by transmitting a facsimile copy thereof to Attorney Mesereau, and by causing a true copy thereof to be mailed to Mr. Mesereau, first class postage prepaid, at the addresses shown on the attached Service List.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Santa Barbara, California on this 25th day of January, 2005.


Gordon Auchincloss

SERVICE LIST

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