

1 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY
County of Santa Barbara
2 By: RONALD J. ZONEN (State Bar No. 85094)
Senior Deputy District Attorney
3 GORDON AUCHINCLOSS (State Bar No. 150251)
Senior Deputy District Attorney
4 GERALD McC. FRANKLIN (State Bar No. 40171)
Senior Deputy District Attorney
5 1112 Santa Barbara Street
Santa Barbara, CA 93101
6 Telephone: (805) 568-2300
FAX: (805) 568-2398
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

FEB - 9 2005

GARY M. BLUM, Executive Officer
By: *Carrie L. Wagner*
CARRIE L. WAGNER, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA BARBARA
10 SANTA MARIA DIVISION

11 ~~PROPOSED~~ REDACTED VERSION

12 THE PEOPLE OF THE STATE OF CALIFORNIA,

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14
15 Plaintiff,

16 v.

17
18 MICHAEL JOE JACKSON,

19
20 Defendant.

No. 1133603

IN LIMINE MOTION TO
EXCLUDE EVIDENCE OF

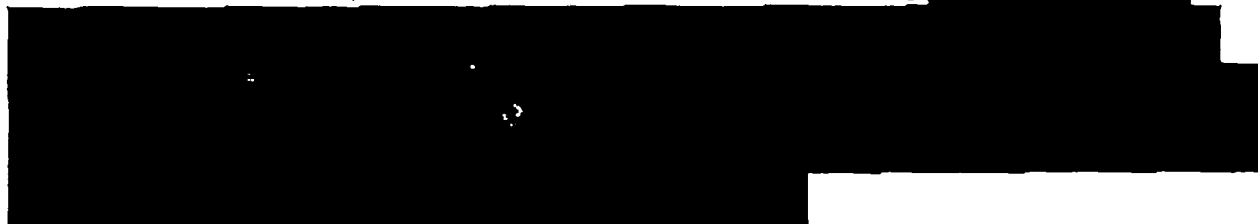


DATE: TBA
TIME: 8:30 AM
DEPT.: SM2 (Melville)

21 UNDER SEAL

22
23 INTRODUCTION

24 Defendant has provided discovery to the People regarding 

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3 DATED: February 9, 2005

4 Respectfully submitted,

5 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY

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7 By:

8 151
9 GORDON AUCHINCLOSS
10 Senior Deputy District Attorney

11 Attorneys for Plaintiff
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ARGUMENT WITH POINTS AND AUTHORITIES

I

[REDACTED]

Evidence Code section [REDACTED] mandates that in any prosecution under Penal Code section 288a the following requirements must be fulfilled by defendant [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]

9 CONCLUSION

10 Evidence Code section [REDACTED] recognizes [REDACTED]

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 [REDACTED] In the present case, defendant has not only failed to meet the
15 requirements of this statute, he hasn't even tried. [REDACTED]

16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 DATED: February 9, 2005

20 Respectfully submitted,
21 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY

22
23 By: 121
24 GORDON AUCHINCLOSS
25 Senior Deputy District Attorney
26 Attorneys for Plaintiff

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2
3 **PROOF OF SERVICE**

4 STATE OF CALIFORNIA
5 COUNTY OF SANTA BARBARA } SS

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

10 On February 9, 2005, I served the within IN LIMINE MOTION TO EXCLUDE
11 [REDACTED] on Defendant, by THOMAS A.
12 MESEREAU, JR., ROBERT SANGER, and BRIAN OXMAN, by transmitting a facsimile
13 copy thereof to Attorney Mesereau at his Santa Maria Confidential Fax number, and to Mr.
14 Sanger at the fax number shown on the attached Service List.

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

16 Executed at Santa Barbara, California on this 9th day of February, 2005.

17 *Gerald McC. Franklin*
18 _____
19 Gerald McC. Franklin

SERVICE LIST

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3 THOMAS A. MESEREAU, JR., ESQ.
4 Collins, Mesercrau, Reddock & Yu, LLP
5 1875 Century Park East, No. 700
6 Los Angeles, CA 90067
7 FAX: [Confidential]
8 Attorney for Defendant Michael Jackson
9

10
11 ROBERT SANGER, ESQ.
12 Sanger & Swysen, Lawyers
13 233 E. Carrillo Street, Suite C
14 Santa Barbara, CA 93001
15 FAX: (805) 963-7311
16 Co-counsel for Defendant
17

18
19 BRIAN OXMAN, ESQ.
20 Oxman & Jaroscak, Lawyers
21 14126 E. Rosecrans Blvd.,
22 Santa Fe Springs, CA 90670
23
24
25
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