## FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA

1 2 3 4 5 6 7	THOMAS W. SNEDDON. JR., DISTRICT ATTORNE County of Santa Barbara By: RONALD J. ZONEN (State Bar No. 85094) Senior Deputy District Attorney J. GORDON AUCHINCLOSS (State Bar No. 1502) Senior Deputy District Attorney GERALD McC. FRANKLIN (State Bar No. 4017) Senior Deputy District Attorney 1112 Santa Barbara Street Santa Barbara, CA 93101 Telephone: (805) 568-2300 FAX: (805) 568-2398	APR 19 2005  GARY M. BLAIR, Executive Officer  251) By Carrie & 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							
12	THE PEOPLE OF THE STATE OF CALIFORNIA,	) No. 1133603					
13	Plaintiff,	)					
14	v.	) PLAINTIFF'S EMERGENCY ) MOTION TO QUASH					
15	MICHAEL TOT IACTEDING	) DEFENDANT'S SUBPOENA ) FOR MANUEL RAMIREZ					
16	MICHAEL JOE JACKSON,	) ) 					
17	Defendant.	DATE: TBA TIME: 8:30 a.m.					
18		) DEPT: SM8 (Melville)					
19	A. Introduction						
20	This is Plaintiff's emergency motion for an order	quashing defendant's					
21	subpoena for one Manuel Ramirez as a witness for the d	defense. This motion is made on					
22	the ground that (a) Mr. Ramirez is a new recruit in the U	Inited States Marine Corps: (b)					
23	Mr. Ramirez is not a percipient witness to any of the events relevant to this lawsuit, and						
24	(c) his pending transfer to South Carolina for training will be put on "hold" unless the						
25	subpoena is quashed.						
26	B. Supporting Facts						
27	Private Manuel Ramirez is a new recruit in the U	nited States Marine Corps. He is					
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Į	currently stationed at Camp Pendleton waiting to commence his training, ris training				
2	consists of a three week program at Camp Pendleton, followed by two months of training				
3	in South Carolina.				
4	Because Private Ramirez was served with a defense subpoena to appear on April				
5	22, 2005 in the above entitled case he has not been allowed to begin his training program				
6	and is currently sitting at Camp Pendleton, inactive, until he testifies or until his subpocus				
7 -	statues has been resolved.				
Š	Private Ramirez knows nothing of the tacts of this case. He was subpoenaed to				
9	appear in court because he is Davellin Arvizo's boyfriend and refused to give a statement				
0	to the defense investigator. The investigator told him he would have to go to court if he				
11	did not talk with him and then served him with a subpoena.				
12	Private Ramirez first met Davellin in 2001 when both were explorers with the Los				
13	Angeles Police Department. They began dating in July 2003. Davellin has not discussed				
14	the facts of this case with him, nor have either of her brothers, her mother or her step				
15	father. He has no information to give and should be allowed to begin his military				
6	training.				
17	Unless Defendant can give a reasonable offer of proof as to Private Ramirez' valu				
8	as a defense witness - if necessary, in camera - this motion to quash should be granted				
9	and he should be allowed to continue his service to this country.				
0	DATED: April 19, 2005				
1	Respectfully submitted.				
22	THOMAS W. SNEDDON, JR.				
23	District Attorney				
.4	The Tomas				
25	By: Ronald Zonen, Deputy				
6	Attorney for Plaintiff				
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LOCATION: 9055601077

## DECLARATION OF RONALD ZONEN

2	I.	RONALD	ZO	VEN.	say:
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- 1. I am a lawyer admitted to practice in all the courts of this state. I am
- 4 employed as a deputy of the Santa Barbara District Attorney. I am one of the
- 5 trial lawyers in the above-captioned case.
- 6 2. I spoke yesterday with MANUEL RAMIREZ by telephone. He
- 7. informed me of the following facts:
- 3. He is a new recruit in the United States Marine Corps. He is
- 9 currently stationed at Camp Pendleton waiting to commence his training. His
- training consists of a three week program at Camp Pendleton, followed by two
- 11 months of training in South Carolina.
- 4. Private Ramirez was served with a defense subpoena to appear on
- 13 April 22, 2005 in the above entitled case.
- 5. Because of the subpoena, Private Ramirez has not been allowed to
- 15 begin his training program and is currently sitting at Camp Pendleton, inactive,
- 16 until he testifies or until his status as a subpoenaed witness has been resolved.
- 6. Private Ramirez knows nothing of the facts of this case.
- 7. Private Ramiroz is Davellin Arvizo's boyfriend. He refused to give a
- 19 statement to the defense investigator who contacted him some time ago. The
- 20 investigator told him he would have to go to court if he did not talk with him and
- 21 then served him with a subpoena.
- 22 8. Private Ramirez first met Davellin in 2001 when both were Explorer
- 23 Scouts with the Los Angeles Police Department. They began dating in July.
- 24 2003.
- 25 9. Neither Davellin Arvizo, nor Gavin Arvizo, Star Arvizo or their
- 26 mother, Janet Arvizo, have discussed the facts of this case with him. He has no
- 27 information to give concerning this matter. He urgently desires to be permitted
- 28 to continue his training as presently scheduled.

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I declare under per	nalty of perjury that the foregoing is true, except for				
2 matters stated upon my inf	formation, and as to such matters I believe it to be true.				
3 I execute this declaration in Santa Maria on April 19, 2005					
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6	RONALD J. ZONEN				
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PLAINTIFF'S MOTION TO QUASH SUBPOENA FOR MANUEL RAMIREZ SIGNIFE 04/19 105 07:40

I	PROOF OF SERVICE				
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3	STATE OF CALIFORNIA )				
4	COUNTY OF SANTA BARBARA SS				
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6	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				
8	action. My business address is: District Attorney's Office: Courthouse; 1112				
9	Santa Barbara Street, Santa Barbara, California 93101.				
10	On April 19, 2005, I served the within PLAINTIFF'S EMERGENCY				
11	MOTION TO QUASH DEFENDANT'S SUPBOENA FOR MANUEL RAMIREZ on Defendant.				
12	by THOMAS A. MESEREAU, JR., ROBERT SANGER and BRIAN OXMAN,				
13	by personally delivering a true copy thereof to counsel in open court. I declare				
14	under penalty of perjury that the foregoing is true and correct.				
15	Executed at Santa Maria, California on this 19th day of April.				
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PLAINTIFF'S MOTION TO QUASH SUBPOENA FOR MANUEL RAMIREZ

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