

1 STEPHEN SHANE STARK, COUNTY COUNSEL
2 STEPHEN D. UNDERWOOD, CHIEF ASSISTANT (sbn 063057)
3 COUNTY OF SANTA BARBARA
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5 Santa Barbara, CA 93101
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7 Attorneys for Jim Anderson, Sheriff,
8 County of Santa Barbara

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

AUG 17 2004

GARY W. BLAIR, Executive Officer
By *[Signature]*
CARRIE L. ... County Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SANTA BARBARA
11 (COOK DIVISION)

12 **PEOPLE OF THE STATE OF CALIFORNIA,**

13 Plaintiffs,

Case No: 1133603

APPLICATION OF JIM ANDERSON, SHERIFF, COUNTY OF SANTA BARBARA, THAT REPLY TO THE DEFENDANT'S OPPOSITION TO MOTION TO RELEASE ATTORNEY GENERAL'S CONCLUSIONS REGARDING ITS INVESTIGATION INTO DEFENDANT'S ALLEGATIONS OF MISTREATMENT AT THE SANTA BARBARA COUNTY JAIL BE CONDITIONALLY FILED UNDER SEAL; DECLARATION OF STEPHEN D. UNDERWOOD

14 vs.

15 **MICHAEL JOE JACKSON,**

16 Defendant.

Date: August 19, 2004
Time: 8:30 a.m.
Dept: SM 2

FILED UNDER SEAL

Assigned Judge: Hon. Rodney S. Melville

17 **TO THE HONORABLE RODNEY S. MELVILLE, JUDGE OF THE**
18 **SUPERIOR COURT, AND ALL INTERESTED PARTIES:**

19 **PLEASE TAKE NOTICE THAT Jim Anderson, Sheriff, County of Santa Barbara,**

20 COUNTY COUNSEL
21 County of Santa Barbara
22 105 East Anapamu Street
23 Santa Barbara, CA 93101
24 (805) 568-2950

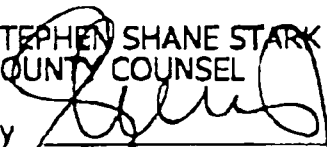
Unsealed per order, dated 9/17/8/04

1 hereby requests that this Court authorize the attached Reply to Defendant's
2 Objection to Sheriff's Motion to Release Attorney General's Conclusions Regarding its
3 Investigation into Defendant Michael Jackson's Allegations of Mistreatment at the
4 Santa Barbara County Jail be filed under seal.

5 The attached Motion contains information that has not otherwise been
6 released to the public, and potentially may be information that would violate this
7 Court's protective order. It is therefore necessary to have the Motion sealed until the
8 Court determines whether or not the information may be released.

9 Dated: Aug. 17, 2004

STEPHEN SHANE STARK
COUNTY COUNSEL

By 
Stephen D. Underwood
Chief Assistant County Counsel
Attorneys for Jim Anderson, Sheriff,
COUNTY OF SANTA BARBARA

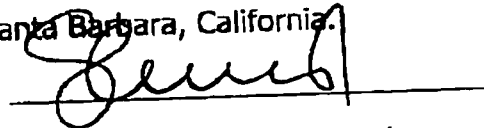
14 **DECLARATION OF STEPHEN D. UNDERWOOD**

15 I Stephen D. Underwood, declare:

- 16 1. I am the attorney for Jim Anderson, Sheriff, County of Santa Barbara.
- 17 2. Since the Sheriff filed his Motion to Authorize the Release of the Attorney
18 General's conclusions into its investigation regarding defendant's claims of
19 mistreatment while at the Santa Barbara County jail, certain news media have
20 obtained a copy of the conclusions and have made them public.
- 21 3. The Sheriff still desires to comment publicly concerning the Attorney General's
22 investigation and does not want to violate this Court's January 16, 2004,
23 Protective Order.
- 24 4. The Sheriff's Reply should therefore remain confidential and under seal.
- 25 5. The Sheriff requests by the within application that the Court conditionally seal
26 the Reply until the matter is heard on August 19, 2004, or as otherwise is
27 ordered by the Court.
- 28

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

Executed this 17th day of August 2004, at Santa Barbara, California.



Stephen D. Underwood

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COUNTY COUNSEL
County of Santa Barbara
5 East Annapolis Street
Santa Barbara, CA 93101
KJS 564-2850

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PROOF OF SERVICE
(C.C.P. §§ 1013(a), 2015.5)
STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is 105 East Anapamu Street # 201, Santa Barbara, California.

On August 17, 2004 I served a true copy of the **APPLICATION OF JIM ANDERSON, SHERIFF, COUNTY OF SANTA BARBARA, THAT REPLY TO DEFENDANT'S OPPOSITION TO MOTION TO RELEASE ATTORNEY GENERAL'S CONCLUSIONS REGARDING ITS INVESTIGATION INTO DEFENDANT'S ALLEGATIONS OF MISTREATMENT AT THE SANTA BARBARA COUNTY JAIL BE CONDITIONALLY FILED UNDER SEAL; DECLARATION OF STEPHEN D. UNDERWOOD** on the Interested Parties in said action by:

facsimile transmission to the person(s) indicated below:

Thomas A. Mesereau, Jr.
Collins, Mesereau, Reddock & Yu, LLP
(310) 861-1007

Steve Cochran, Esq.
Katten, Muchin, Zavis & Rosenman, Lawyers
(310) 712-8455

Robert Sanger, Esq.
Sanger & Swysen, Lawyers
(805) 963-7311

Thomas W. Sneddon, District Attorney
Office of the District Attorney
(805) 568-2398

depositing it in the United States Mail in a sealed envelope with postage thereon fully prepaid to the following:

Brian Oxman, Esq.
Oxman & Jaroscak, Lawyers
14126 E. Rosecrans Blvd.
Santa Fe Springs, CA 90670

(State) I declare, under penalty of perjury, that the above is true and correct.

Executed on August 17, 2004 at Santa Barbara, California.



Estella Rios