

OCT 07 2004

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

1
2
3
4
5
6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF SANTA BARBARA
9 SANTA MARIA DIVISION
10

11 THE PEOPLE OF THE STATE OF CALIFORNIA,)

12 Plaintiff,)

13 v.)

14 MICHAEL JOE JACKSON,)

15 Defendant.)
16

No. 1133603

[PROPOSED]
ORDER DIRECTING THAT
PLAINTIFF'S OPPOSITION TO
MOTION TO SUPPRESS RE:
SW 5135, ETC. BE
MAINTAINED UNDER
CONDITIONAL SEAL PENDING
FURTHER ORDER OF COURT

17
18 It appearing from the Declaration of Gerald McC. Franklin and from the Plaintiff's
19 Opposition to Defendant's Motion to Suppress Evidence Obtained By SW 5135 that
20 information that hitherto has been sealed is set forth in the Opposition, disclosure of which may
21 prejudice the right of the parties to a fair trial, the Court orders as follows:

22 1. Plaintiff's Motion In Opposition to Defense Motion To Suppress Evidence
23 Obtained By SW 5135 is conditionally sealed;

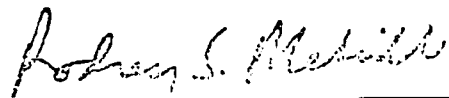
24 2. The motion to maintain that document under conditional seal until further order
25 of court shall be heard on October 14, 2004, at 8:30 a.m;

26 3. The Court will consider the moving party's suggested redacted version of
27 Plaintiff's Opposition to Defendant's Motion to Suppress Evidence Obtained By SW 5135, and
28 may, between the date of this Order and October 14, 2004, release a redacted version of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Plaintiff's Opposition to Defendant's Motion to Suppress Evidence, Etc.

DATED: October 7, 2004



RODNEY S. MELVILLE
Judge of the Superior Court

PROOF OF SERVICE
1013A(1)(3), 1013(c) CCP

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am a citizen of the United States of America and a resident of the county aforesaid. I am employed by the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is 312-H East Cook Street, Santa Maria, California.

On OCTOBER 8, 20 04, I served a copy of the attached ORDER DIRECTING THAT PLAINTIFF'S OPPOSITION TO MOTION TO SUPPRESS RE SW 5135, ETC. BE MAINTAINED UNDER CONDITIONAL SEAL PENDING FURTHER ORDER OF COURT addressed as follows:

THOMAS W. SNEDDON, DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE
1105 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

THOMAS A. MESEREAU, JR.
COLLINS, MESEREAU, REDDOCK & YU, LLP
1875 CENTURY PARK EAST, 7TH FLOOR
LOS ANGELES, CA 90067

FAX

By faxing true copies thereof to the receiving fax numbers of: 805-568-2398 (DISTRICT ATTORNEY); 310-861-1007 (THOMAS A. MESEREAU, JR). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), a transmission report was properly issued by the transmitting facsimile machine and is attached hereto.

MAIL

By placing true copies thereof enclosed in a sealed envelope with postage fully prepaid, in the United States Postal Service mail box in the City of Santa Maria, County of Santa Barbara, addressed as above. That there is delivery service by the United States Postal Service at the place so addressed or that there is a regular communication by mail between the place of mailing and the place so addressed.

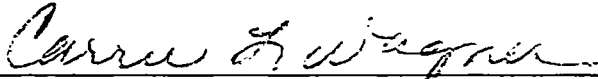
PERSONAL SERVICE

By leaving a true copy thereof at their office with their clerk therein or the person having charge thereof.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post office, substation, mail chute, or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail, in a sealed envelope, with express mail postage paid.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 8TH day of OCTOBER, 20 04, at Santa Maria, California.


CARRIE L. WAGNER