

DEC 17 2004

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

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

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

MICHAEL JOE JACKSON

Defendant.

No. 1133603

~~PROPOSED~~  
ORDER DIRECTING THAT  
PLAINTIFF'S OPPOSITION TO  
DEFENDANT'S MOTIONS TO  
DISMISS FOR "VINDICTIVE  
PROSECUTION" AND  
"OUTRAGEOUS GOVERNMENT  
CONDUCT," ETC. BE  
MAINTAINED UNDER  
CONDITIONAL SEAL PENDING  
FURTHER ORDER OF COURT

It appearing from the Declaration of Gerald McC. Franklin and from the Plaintiff's Opposition To Defendant's Motions To Dismiss For "Vindictive Prosecution" And "Outrageous Government Conduct, Etc. that information that hitherto has been sealed is set forth in the Opposition, disclosure of which may prejudice the right of the parties to a fair trial, the Court orders as follows:

1. Plaintiff's Opposition To Defendant's Motions To Dismiss For "Vindictive Prosecution" And "Outrageous Government Conduct, Etc. is conditionally sealed;
2. The motion to maintain that Opposition under conditional seal until further order of court shall be heard on December 20, 2004, at 8:30 a.m.;
3. The Court will consider the moving party's suggested redacted version of

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Plaintiff's Opposition To Defendant's Motions To Dismiss For "Vindictive Prosecution" And  
"Outrageous Government Conduct, Etc. and may, between the date of this Order and December  
20, 2004, release a redacted version of the Motion.

DATED: December 17, 2004

  
\_\_\_\_\_  
RODNEY S. MELVILLE  
Judge of the Superior Court

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 DECEMBER 17, 20 04, I served a copy of the attached ORDER DIRECTING THAT PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTIONS TO DISMISS FOR "VINDICTIVE PROSECUTION" AND "OUTRAGEOUS Government CONDUCT" ETC., BE MAINTAINED UNDER CONDITIONAL SEAL PENDING FURTHER ORDER OF COURT \_\_\_\_\_ addressed as follows:

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

THOMAS W. SNEDDON, JR.  
DISTRICT ATTORNEY'S OFFICE  
1112 SANTA BARBARA STREET  
SANTA BARBARA, CA 93101

X  FAX

By faxing true copies thereof to the receiving fax numbers of: (310) 861-1007 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon) . . . 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.

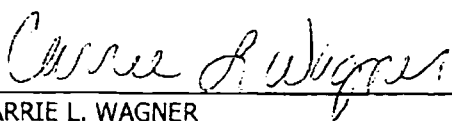
\_\_\_ PERSONAL SERVICE

By leaving a true copy thereof at their office with the person having charge thereof or by hand delivery to the above mentioned parties.

\_\_\_ 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 17<sup>TH</sup> day of DECEMBER , 20 04 , at Santa Maria, California.

  
\_\_\_\_\_  
CARRIE L. WAGNER