

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

JAN 25 2005

GARY M. BLAIR, Executive Officer
Gary M. Blair
CARRIE L. WAGNER, Deputy Clerk

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

RECEIVED
05 JAN 25 PM 2:15
SUPERIOR COURT
SANTA BARBARA COUNTY
HALL ENCLAVISION

11
12 THE PEOPLE OF THE STATE OF CALIFORNIA,
13 Plaintiff,
14 vs.
15
16 MICHAEL JOE JACKSON,
17 Defendant.

No. 1133603
PLAINTIFF'S REPLY TO
DEFENDANT'S
OPPOSITION RE:
ADMISSION OF EXPERT
TESTIMONY ON
BATTERED WOMEN'S
SYNDROME AT TRIAL
DATE: January 28, 2004
TIME: 9:30 AM
DEPT.: SM2 (Melville)

18
19 Ignoring defendant's ongoing abusive and supercilious remarks about the victim's
20 credibility, he articulates only two valid concerns in his opposition. First, he wants to know
21 the expert witness's name. Second, he wants assurance that the proper foundation for that
22 witness's evidence will be laid pursuant to Evidence Code Section 1107, subdivision (b).
23

24 Addressing the first concern, the name of the People's expert witness in this area
25 was discovered to the defense in their original witness list sent to them in December¹.
26
27
28

¹ See page 5; line 2 of People's Second Amended Witness List

1 Addressing defendant's second concern; defendant may rest assured that the People
2 will lay the proper foundation for this evidence before it is admitted at trial.

3
4 DATED: January 24, 2005

5 Respectfully submitted,

6 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY

7
8 By: 

9 GORDON AUCHINCLOSS
Senior Deputy District Attorney

10 Attorneys for Plaintiff

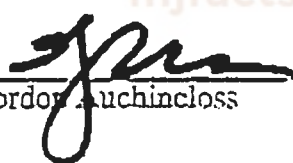
1 PROOF OF SERVICE

2 facts.com mjfacts.com mjfacts.com
3 STATE OF CALIFORNIA }
4 COUNTY OF SANTA BARBARA } SS

5
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.

10 On January 18, 2005, I served the within PLAINTIFF'S REPLY TO
11 DEFENDANT'S OPPOSITION RE: EVIDENCE CODE § 402 ISSUES on Defendant, by
12 THOMAS A. MESEREAU, JR., ROBERT SANGER, and BRIAN OXMAN by personally
13 delivering a true copy thereof to Mr. Sanger's office in Santa Barbara, by transmitting a
14 facsimile copy thereof to Attorney Mesereau, and by causing a true copy thereof to be mailed
15 to Mr. Mesereau, first class postage prepaid, at the addresses shown on the attached Service
16 List.

17 I declare under penalty of perjury that the foregoing is true and correct.
18 Executed at Santa Barbara, California on this 25th day of January, 2005.

19
20 
Gordon Auchincloss

SERVICE LIST

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