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11 Attorneys for Defendant
12 **MICHAEL JOSEPH JACKSON**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION**

16 THE PEOPLE OF THE STATE OF CALIFORNIA,

17 Plaintiffs,

18 vs.

19 MICHAEL JOSEPH JACKSON,

20 Defendant.

) Case No. 1133603

) ~~PROPOSED~~ ORDER THAT NOTICE OF
) MOTION AND MOTION FOR RECUSAL
) OF THE SANTA BARBARA COUNTY
) DISTRICT ATTORNEY'S OFFICE (PENAL
) CODE SECTION 1424) BE FILED UNDER
) SEAL

) Honorable Rodney S. Melville

) Date: February 22, 2005

) Time: 9:30

) Dept: SM 8

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27 **GOOD CAUSE APPEARING**, it is hereby ordered that NOTICE OF MOTION AND

28 **EX PARTE APPLICATION FOR AN ORDER THAT NOTICE OF MOTION AND MOTION FOR RECUSAL OF
THE SANTA BARBARA COUNTY DISTRICT ATTORNEY'S OFFICE (PENAL CODE SECTION 1424)
BE FILED UNDER SEAL**

FEB 22 2005
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

FEB 09 2005
GARY L. BLAIR, Presiding Officer
Clerk of Court
Deputy Clerk

1 MOTION FOR RECUSAL OF THE SANTA BARBARA COUNTY DISTRICT
2 ATTORNEY'S OFFICE (PENAL CODE SECTION 1424) BE FILED UNDER SEAL and
3 accompanying documents, be filed under seal.

4 DATED: FEB 09 2005

Rodney S. Merrill
Judge of the Superior Court

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EX PARTE APPLICATION FOR AN ORDER THAT NOTICE OF MOTION AND MOTION FOR RECUSAL OF
THE SANTA BARBARA COUNTY DISTRICT ATTORNEY'S OFFICE (PENAL CODE SECTION 1424)
BE FILED UNDER SEAL

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 FEBRUARY 9, 2005, I served a copy of the attached ORDER THAT NOTICE OF MOTION AND MOTION FOR RECUSAL OF THE SANTA BARBARA COUNTY DISTRICT ATTORNEY'S OFFICE (PENAL CODE SECTION 1424) BE FILED UNDER SEAL addressed as follows:

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

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

FAX

By faxing true copies thereof to the receiving fax numbers of: (805) 456-0699 (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.

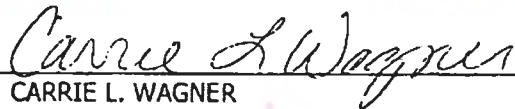
PERSONAL SERVICE

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 9TH day of FEBRUARY, 20 05, at Santa Maria, California.


CARRIE L. WAGNER