

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA**

Dated & Entered: FEBRUARY 15, 2005	Time: 8:50 A.M.	F	
Honorable RODNEY S. MELVILLE		CC	
Deputy Clerk: L. FREY	Dept. SM TWO	CA	
Deputy Sheriff : L. AVILA		AC	
Court Reporter: M. MC NEIL	Case No. 1133603	SR	
Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA		ST	
Vs.		DOC	X
Defendant(s): MICHAEL JOE JACKSON			
District Attorney: THOMAS W. SNEDDON, JR.			
Defense Counsel: THOMAS A. MESEREAU, JR.			
Probation Officer:	Interpreter:		

NATURE OF PROCEEDINGS: JURY TRIAL – FIFTH DAY

Felony Complaint Filed December 18, 2003 charging the Defendant with Counts 1 thru 7: 288(a) P.C., Felonies, Counts 8 and 9: 222 P.C., Felonies, Enhancements on Counts 1 through 7: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

Indictment filed April 21, 2004 charging the Defendant with Count 1: 182 P.C., a Felony, Counts 2 through 5: 288(a) P.C., Felonies, Count 6: 664/288(a) P.C., a Felony, Counts 7 through 10: 222 P.C., Felonies, Special Allegations on Counts 2 through 5: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

The Court made orders re: Continuance

At 8:50 A.M. in the presence of the Prospective Jurors with Court and Counsel present, in the absence of the Defendant, trial continued.

Counsel present for the People are Thomas W. Sneddon, Jr., Ronald Zonen and Gordon Auchincloss.

Counsel present for the Defendant are Thomas A. Mesereau, Jr., Robert M. Sanger, Susan Yu and Brian Oxman.

The People's Jury Consultant Howard Varinsky present.

The Defendant's Jury Consultant J. Lee Meihls present.

The Court informed the Prospective Jurors that the Defendant is ill.

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The Court advised Counsel that Prospective Jurors No. 174 and No. 146 are ill. Upon stipulation of Counsel for respective parties the Court orders that said Prospective Jurors shall be excused.

Court in recess awaiting a report from the Defendant's doctor.

At 9:30 A.M. in the absence of the Prospective Jurors and Defendant with Court, Attorney Mesereau and Attorney Sneddon present in Chambers, the Court held a phone conference with Dr. Ellis from Marian Hospital.

At 9:40 A.M. in the presence of the Prospective Jurors with Court and Counsel present, in the absence of the Defendant, trial continued.

The Court advised the Prospective Jurors that Mr. Jackson is in the hospital. The Court admonished the Prospective Jurors and ordered a recess until February 22, 2005 at 8:30 A.M.

At 9:45 A.M. in the absence of the Prospective Jurors and the Defendant with Court and Counsel present, trial continued.

Attorney Mesereau addressed the Court re: the Jury Questionnaire and asked for additional time to voir dire each Prospective Juror. The Court denied Attorney Mesereau's request for additional time for voir dire.

Attorney Mesereau addressed the Court re: holding confidential hearings of certain Prospective Jurors. The Court's previous ruling re: said confidential hearings shall remain in effect.

Attorney Sanger advised the Court that a motion in regards to a particular witness is forthcoming. Attorney Sneddon advised the Court that the individual subject to said motion is represented by Counsel. The Court shall reserve ruling on the motion until the Court reviews the written motion to be provided by Counsel.

Attorney Sneddon addressed the Court re the use of exhibits during Counsel's opening statements. The Court further orders that exhibits may be used during opening statements; that if there is a dispute as to the use of any particular exhibit, the Court will make a ruling on said exhibit prior to its use.

The Court will consider the application for an OSC re: Contempt and/or other Sanctions for Violation of this Court's Protective Order and will advise Counsel if a hearing is to be set re: said OSC.

At 10:00 A.M. Court in recess until February 22, 2005 at 8:30 A.M.

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Defendant shall remain on bail previously posted.

CLERK OF THE SUPERIOR COURT

BY *Lorna Frey*
LORNA FREY, DEPUTY CLERK

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 17, 2005, I served a copy of the attached MINUTE ORDER, DATED 2/15/05 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.

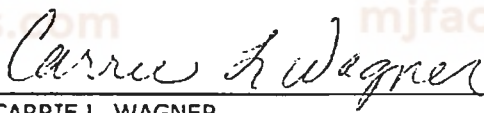
PERSONAL SERVICE

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 17TH day of FEBRUARY, 2005, at Santa Maria, California.


CARRIE L. WAGNER