

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

Dated & Entered: APRIL 19, 2005	Time: 8:30 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 - FORTY FIRST 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 8:30 A.M. in the presence of the Jury with Court, Counsel and Defendant present, 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. Sangcr, Susan Yu and Brian Oxman.

Investigating Officer Steve Robel present for the People.

Examination of Janet Arvizo Jackson as a witness on behalf of the People continued.

Attorneys Zonen and Mesereau examined the witness.

Victor Alvarez sworn and examined as a witness on behalf of the People.

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The following People's Exhibit Marked for Identification and Received into Evidence:

822 The Art of Dave Nestler "Wicked Intentions," Sheriff's Item #304-B.

The following People's Exhibit Marked for Identification:

823 VHS Tape, Item 811  
824 VHS Tape, Item 812  
825 VHS Tape, Item 815  
826 VHS Tape, Item 816.

Maria Ventura sworn and examined through the Interpreter as a witness on behalf of the People.

Certified English-Spanish Interpreters Doris Vick and Rose O'Neill interpreted for the witness.

Attorney Zonen examined the witness.

William Caldwell sworn and examined as a witness on behalf of the People.

Attorneys Zonen and Sanger examined the witness.

The following People's Exhibits Marked for Identification and Received into Evidence:

831 Photo of Cabinet with TV, VCR, Audio and VHS Tapes  
832 Photo of Audio Tapes Blown Up  
833 Photo of VHS Tapes Blown Up.

The following People's Exhibits Marked for Identification:

827 Audio Cassette Tape, MJ, Sheriff's Item #817  
828 Audio Cassette Tape, Michael Jackson, Sheriff's Item #818  
829 Mini Video Cassette Tape, Arvizo Move, Sheriff's Item #819.

At 11:20 A.M. in the absence of the Jury and the Defendant with Court, Attorneys Sneddon and Mesereau and Research Attorneys Jed Beebe and Tracy Splitgerber present in Chambers, an In Camera hearing was held re: Jury issues.

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The Court orders that the Reporter's transcript shall be sealed and not transcribed without further order of the Court.

At 11:50 A.M. in the absence of the Jury with Court, Counsel and Defendant present, trial continued.

Attorney Sneddon addressed the Court re: scheduling. Attorney Sneddon further advised the Court that witness Carter's lawyer has advised Mr. Sneddon that Mr. Carter will claim his Fifth Amendment rights regarding the charges pending against him in Las Vegas.

The Court orders that if motions and witnesses are concluded by the end of the day on Thursday of this week, the Court will advise the Jurors that there will be no Court on Friday.

At 12:05 P.M. in the presence of the Jury with Court, Counsel and Defendant present, trial continued.

Rod Fornoy sworn and examined as a witness on behalf of the People.

Attorneys Zonen and Sanger examined the witness.

The Court advised the Jury that Court will not be in session on Friday, April 22, 2005.

Michael Davy sworn and examined as a witness on behalf of the People.

Attorneys Sneddon and Mescreau examined the witness.

Janet Williams sworn and examined as a witness on behalf of the People.

Attorneys Sneddon and Sanger examined the witness.

The following People's Exhibit Marked for Identification and Received into Evidence:

- 590-A Book "Bob and Rod" by Tom Bianchi, Same Sex Adult Material, SBSO #366
- 590-B Book "Before the Hand of Man" by Roy Dean, Same Sex Adult Material, SBSO #366
- 590-C Book "Room to Play" by Simon Johan, Morphed Pictures of Children Into Adult SBSO #366
- 590-D Book "Naked as a Jay Byrd" by Dian Hanson, Male and Female Nudity with Some Sexual Explicit Material, SBSO #366
- 591 Solaire Universelle Day Nudisme Volume 11, #5, May 1961; Eden Quarterly Issue 13, Copyright 1963, SBSO #366A, C

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592 Nudist - March 1935, SBSO #366AA  
593 American Sunbather, May 1961, SBSO #366B  
594 Nudist, February 1935, SBSO #366BB  
595 The Nudist, May 1935, SBSO #366CC  
834 Evidence Bag Containing Exhibits 592 thru 595  
596 Book "Man, A Sexual Study of Man", Text by Larry Stevens, SBSO #366DD  
597 Book "The Golden Age of Neglect" by Ed Templeton, Include Full Nudity of  
Males, SBSO #366EE  
599 Book "Taormina Wilhelm Von Gloeden", Photographs of Adult and Juvenile  
Males Posed in the Nude, SBSO #366FF  
835 Evidence Bag Containing Exhibits 598 and 600 through 613  
598 The Nudist, June/July 1935, SBSO #366F  
600 The Nudist, August 1935, SBSO #366G  
601 Sunshine and Health, the Nudist, May 1937, SBSO #366H  
602 The Nudist, February 1936, SBSO #366I  
603 The Nudist, June 1936, SBSO #366J  
604 The Nudist, August 1936, SBSO #366K  
605 The Nudist, October 1936, SBSO #366L  
606 Sunshine and Health, The Nudist, April 1937, SBSO #366M  
607 Sunshine and Health, The Nudist, December 1937, SBSO #366O  
608 Sunshine and Health, the Nudist, October 1937, SBSO #366P  
609 Sunshine and Health, The Nudist, February 1937, SBSO #366R  
610 Sunshine and Health, The Nudist, January 1937, SBSO #366T  
611 Sunshine and Health, The Nudist, December 1937, SBSO #366U  
612 Sunshine and Health, The Nudist, September 1938, SBSO #366X  
613 Sunshine and Health, The Nudist, July 1939, SBSO #366Y  
836 Evidence Bag Containing Exhibits 614 through 619  
614 Eden Quarterly, Issue 7, SBSO #366D  
615 Sunshine and Health, The Nudist, November 1937, SBSO #366N  
616 Sunshine and Health, The Nudist, November 1937, SBSO #366Q  
617 Sunshine and Health, The Nudist, February 1938, SBSO #366V  
618 Sunshine and Health, The Nudist, March 1938, SBSO #366W  
619 Sunshine and Health, The Nudist, September 1937, SBSO #366Z  
837 Evidence Bag Containing Exhibits 620 and 621  
620 Eden Quarterly, Issue 8, SBSO #366E  
621 Sunshine and Health, The Nudist, June 1937, #366E  
838 Evidence Bag Containing Book "Poo-Chi".

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At 2:30 P.M. the Court admonished the Jury and ordered a recess until April 20, 2005 at 8:30A.M.

Defendant released 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 May 3, 2005, 2005, I served a copy of the attached MINUTE ORDER 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

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(l), 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.

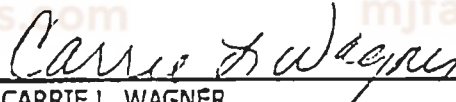
PERSONAL SERVICE

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 3<sup>RD</sup> day of MAY, 2005, at Santa Maria, California.

  
CARRIE L. WAGNER