

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

Dated & Entered: APRIL 27, 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 SIXTH DAY

Felony Complain: 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: Motion for Mistrial Denied; 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, Gordon Auchincloss and Mag Nicola

Counsel present for the Defendant are Thomas A. Mescreau, Jr., Robert M. Sangre and Susan Yu.

Investigating Officer Steve Robel present for the People.

Examination of Hamid Moslehi as a witness on behalf of the People continued.

Attorneys Mescreau and Auchincloss examined the witness.

In the absence of the Jury with Court, Counsel and Defendant present, trial continued.

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The following Defendant's Exhibits Marked for Identification:

- 5009-A Copy of DVD Seized from Hamid Moslehi Containing Outtakes of Martin Bashir and Mr. Jackson, Item 913, Disc 10
- 5009-B Copy of DVD Seized from Hamid Moslehi Containing Outtakes of Martin Bashir and Mr. Jackson, Item 913, Disc 11
- 5009-C Copy of DVD Seized from Hamid Moslehi Containing Outtakes of Martin Bashir and Mr. Jackson, Item 913, Disc 12
- 5010 Copy of DVD of "The Footage You Were Never Meant to See," a Television Program Hosted by Maury Povich.

Attorney Sanger addressed the Court re: Exhibits 5009-A, 5009-B, 5009-C and 5010. Attorney Sanger made a request to play said exhibits to the Jury. The Court orders that said request shall be denied.

In the presence of the Jury with Court, Counsel and Defendant present, trial continued.

Examination of Hamid Moslehi as a witness on behalf of the People continued.

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

- 851 2-21-03 Letter from David Le Grand to Hamid Moslehi Terminating Moslehi's Services.

The Court orders that Hamid Moslehi shall remain at the Courthouse today until the Court rules on a motion by the Defense.

Terry Paulsen sworn and examined as a witness on behalf of the People.

Attorneys Nicola and Sanger examined the witness.

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

- 850 Billing for Phone Calls Made from an Aircraft on February 7, 2003.

In the absence of the Jury with Court, Counsel and Defendant present, trial continued.

Attorney Sanger made a motion for a mistrial on the grounds of prosecutorial misconduct due to certain questions the People asked witness Hamid Moslehi. Attorney Auchincloss objected to said motion. The Court orders that a motion for a mistrial shall be denied.

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The Court orders that Hamid Moslehi may leave the Courthouse today, but he shall remain subject to recall.

In the presence of the Jury with Court, Counsel and Defendant present, trial continued.

Examination of Terry Paulsen as a witness on behalf of the People continued.

Gabriel Domínguez sworn and examined as a witness on behalf of the People.

Attorneys Nicola and Sanger examined the witness.

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

452 T-Mobile Phone Records.

The Court orders that the District Attorney shall provide redacted pages for Exhibit #452 for the pages that have Social Security numbers, addresses and unrelated information.

Anne Marie Sims sworn and examined as a witness on behalf of the People.

Attorneys Nicola and Sanger examined the witness.

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

451 Pacific Bell Phone Records.

Joseph Shebroc sworn and examined as a witness on behalf of the People.

Attorneys Nicola and Sanger examined the witness.

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

456 Verizon Wireless Phone Records.

Jeanne Mulcahy sworn and examined as a witness on behalf of the People.

Attorneys Nicola and Sanger examined the witness.

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

- 453 AT&T Wireless Phone Records
- 454 Cingular Wireless Phone Records.

Deborah Rowe Jackson sworn and examined as a witness on behalf of the People.

Attorney Zonen and examined the witness.

Upon stipulation of Counsel for respective parties the Court orders that People's Exhibits 451 through 454 and 456 shall be released to the District Attorney to make redacted copies; that said exhibits shall then be returned to the Court.

At 2:30 P.M. the Court admonished the Jury and ordered a recess until April 28, 2005 at 8:30 A.M.

Defendant released on bail previously posted.

CLERK OF THE SUPERIOR COURT

BY 
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, 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(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 3RD day of MAY, 2005, at Santa Maria, California.



CARRIE L. WAGNER