

MAY 25 2005

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

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

No. 1133603
PLAINTIFF'S MOTION TO ADMIT
EVIDENCE THAT DEFENDANT IS
NOT A "GOOD PARENT"
DATE: TBA
TIME: TBA
DEPT: SM-2 (Melville)

18 TO: THE CLERK OF THE COURT, TO DEFENDANT, AND TO DEFENDANT'S
19 COUNSEL:

20 PLEASE TAKE NOTICE that as soon as the matter may be heard, Plaintiff will move
21 the court for its order allowing Plaintiff to put before the jury evidence that Defendant is not a
22 "good parent."
23

24 This motion is made on the ground that the proposed evidence is relevant to rebut
25 opinion evidence introduced by Defendant that Michael Jackson is a "good parent."

26 The motion will be based on this notice and the attached Memorandum of Points and
27 Authorities.

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DATED: May 25, 2005

Respectfully submitted

THOMAS W. SNEDDON, JR.
District Attorney

By: *Alan*
Gordon Auchincloss, Senior Deputy District Attorney
Attorneys for Plaintiff

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MEMORANDUM OF POINTS AND AUTHORITIES

DEFENDANT HAS INTRODUCED OPINION EVIDENCE TO THE EFFECT THAT HE IS A "GOOD PARENT." PLAINTIFF PROPOSES TO INTRODUCE EVIDENCE, BASED ON THE PERSONAL OBSERVATIONS OF REBUTTAL WITNESSES, THAT DEFENDANT IS NOT A GOOD PARENT BY REASON OF HIS REGULAR STATE OF INTOXICATION

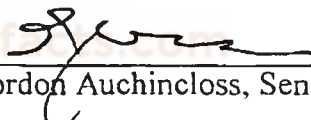
A centerpiece of the defense in this case has been to show Michael Jackson is a good parent and would therefore never commit the charged offenses. For example, during the People's case, defendant elicited on cross examination from witness Debbie Rowe that she said in the "Take Two" video that defendant is "Good father. Great with kids." (RT 8020 / 2.) During the defense case, defendant played the "out takes" video showing Mr. Bashir talking about how it makes him "weep" when he sees defendant with his children. Christian Robinson testified for the defense on May 18, 2005. He testified that in his opinion, Defendant was a "good parent," based upon "my own interpretation of things that I had witnessed with [Defendant] and his children" – "Events when they were together, that kind of stuff." (RT 11032-11033.)

In rebuttal, Plaintiff will offer the testimony of Jesus Salas and Kiki Fournier, to the effect that during the year of the charged offenses each of them have frequently observed Defendant to be in such a state of complete intoxication while in the presence of his young children that he was incapable of exercising sober and responsible care for the children.

DATED: May 25, 2005

Respectfully submitted

THOMAS W. SNEDDON, JR.
District Attorney

By: 
Gordon Auchincloss, Senior Deputy District Attorney
Attorneys for Plaintiff

1 **PROOF OF SERVICE**

2
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 address
8 is: District Attorney's Office; Courthouse; 1112 Santa Barbara Street, Santa Barbara, California
9 93101.

10 On May 25, 2005, I served the within PLAINTIFF'S MOTION TO ADMIT
11 EVIDENCE THAT DEFENDANT IS NOT A GOOD PARENT on Defendant, by THOMAS A.
12 MESEREAU, JR. and ROBERT SANGER, by personally delivering a true copy of it to them in
13 open court.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed at Maria, California on this 2nd day of May, 2005.

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