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8 Attorneys for Defendant
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9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION
12

13 THE PEOPLE OF THE STATE OF CALIFORNIA,
14

15 Plaintiffs,

16 vs.

17 MICHAEL JOSEPH JACKSON,
18 Defendant.
19
20
21

) Case No. 1133603
)
)

) APPLICATION FOR AN ORDER THAT
) MR. MESEREAU BE ALLOWED TO
) MAKE A PUBLIC STATEMENT and
) ~~PROPOSED ORDER~~

) Honorable Rodney S. Melville
)

) Date: TBA
) Time: TBA
) Dept: SM 8
)
)
)
)
)
)

22 TO THE CLERK OF THE ABOVE ENTITLED COURT:
23

24 Defendant requests that the Court issue an order allowing Mr. Mesereau to make a public
25 statement regarding unauthorized statements recently made to the press. This request is based on
26 the overriding interests of Mr. Jackson's rights to due process and a fair trial under the Fifth, Sixth
27 and Fourteenth Amendments to the United States Constitution and Article I, Sections 1, 7, and 15
28

APPLICATION FOR AN ORDER THAT MR. MESEREAU BE ALLOWED TO MAKE A PUBLIC STATEMENT and
[PROPOSED] ORDER

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

JUN 09 2005

GARY M. BLAIR, Executive Officer
BY *Carrie L. Wagner*
CARRIE L. WAGNER, Deputy Clerk

1 of the California Constitution.


2 Dated: June 9, 2005

3 Respectfully submitted,

4 COLLINS, MESEREAU, REDDOCK & YU
5 Thomas A. Mesereau, Jr.
6 Susan C. Yu

7 SANGER & SWYSEN
8 Robert M. Sanger

9 By:

10 
11 Thomas A. Mesereau, Jr.
12 Attorneys for Defendant
13 MICHAEL JOSEPH JACKSON

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 MR. JACKSON SHOULD BE ALLOWED TO MAKE A PUBLIC STATEMENT
4 REGARDING UNAUTHORIZED STATEMENTS RECENTLY MADE TO THE PRESS

5 Statements unauthorized by Mr. Jackson have recently been made to the press. The
6 statements are prejudicial on the eve of verdict and threaten to deprive Mr. Jackson of his rights
7 to due process and a fair trial under the Fifth, Sixth and Fourteenth Amendments to the United
8 States Constitution and Article I, Sections 1, 7, and 15 of the California Constitution. As such,
9 Mr. Jackson respectfully requests that he be allowed to make a public statement. A copy of the
10 proposed statement is attached.

11 CONCLUSION


12 For the reasons stated above, Mr. Jackson requests that the Court issue an order allowing
13 him to make the attached proposed public statement.

14 Dated: June 9, 2005

15 COLLINS, MESEREAU, REDDOCK & YU
16 Thomas A. Mesereau, Jr.
Susan C. Yu

17 SANGER & SWYSEN
18 Robert M. Sanger

19 By:

20 
21 Thomas A. Mesereau, Jr.
22 Attorneys for
23 MICHAEL JOSEPH JACKSON

PROOF OF SERVICE

I, the undersigned declare:

I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 233 East Carrillo Street, Suite C, Santa Barbara, California, 93101.

On June 9, 2005, I served the foregoing documents on the interested parties in this action by depositing a true copy thereof as follows: APPLICATION FOR AN ORDER THAT MR MESEREAU BE ALLOWED TO MAKE A PUBLIC STATEMENT and [PROPOSED] ORDER THEREON on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon
Santa Barbara County District Attorney
312 East Cook Street
Santa Maria, CA

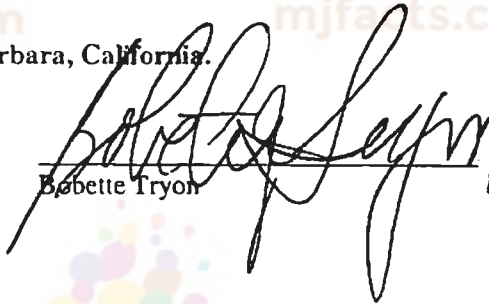
 BY U.S. MAIL - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.

 BY FACSIMILE -I caused the above-referenced document(s) to be transmitted via facsimile to the interested parties

 X BY HAND - I caused the document to be hand delivered to the interested parties at the address above.

 X STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed June 9, 2005, at Santa Barbara, California.


Babette Tryon