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4 Attorneys for Jim Anderson, Sheriff,  
5 County of Santa Barbara

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

AUG 12 2004

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

6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 FOR THE COUNTY OF SANTA BARBARA  
9 (COOK DIVISION)

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11 **PEOPLE OF THE STATE OF**  
12 **CALIFORNIA,**

13 Plaintiffs,

Case No: 1133603

14 **NOTICE OF MOTION AND**  
15 **MOTION OF JIM ANDERSON,**  
16 **SANTA BARBARA COUNTY**  
17 **SHERIFF, FOR AUTHORIZATION**



18  
19 vs.

20 **MICHAEL JOE JACKSON,**

21 Defendant.

Date: August 19, 2004  
Time: 8:30 a.m.  
Dept: SM 28

22 ~~FILED UNDER SEAL - PROPOSED~~  
**REDACTED VERSION**


23 Assigned Judge: Hon. Rodney S.  
24 Melville

25 **PLEASE TAKE NOTICE** that on August 19, 2004, at 8:30 a.m., or as soon  
26 thereafter as the matter can be heard, in Department SM-2 of this Court, located at  
27 312 E. Cook St., Santa Maria, Jim Anderson, Sheriff, County of Santa Barbara will  
28

1 request that this court authorize

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5 Dated: August 12, 2004

STEPHEN SHANE STARK  
COUNTY COUNSEL

6  
7 By   
8 Stephen D. Underwood  
9 Chief Assistant County Counsel  
10 Attorneys for Jim Anderson, Sheriff,  
11 COUNTY OF SANTA BARBARA

12 **POINTS & AUTHORITIES**

13 On December 25, 2003, CBS aired an interview with Defendant Michael  
14 Jackson on its "60 Minutes" television show. During the interview, Mr. Jackson  
15 claimed he was "manhandled" by sheriff's personnel during his November 20, 2003,  
16 arrest and booking at the Santa Barbara Jail. He claimed as a result his shoulder was  
17 "dislocated" and further that he was handcuffed in such a way by Sheriff's deputies,  
18 "knowing that it's going to hurt."

19 The following excerpt is taken directly from the "60 Minutes" interview  
20 conducted by CBS' Ed Bradley.

21 **ED BRADLEY:** What happened when they arrested you? What did they do to you?

22 **MICHAEL JACKSON:** They were supposed to go in, and just check fingerprints, and  
23 do the whole thing that they do when they take somebody in. **They manhandled**  
24 **me very roughly. My shoulder is dislocated, literally. It's hurting me very**  
25 **badly. I'm in pain all the time.** This is, see this arm? This is as far as I can reach  
26 it. Same with this side over here.

27 **ED BRADLEY:** Because of what happened at the police station?

28 **MICHAEL JACKSON:** Yeah. Yeah. At the police station. And what they did to me —  
if you — if you saw what they did to my arms — it was very bad what they

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did. It's very swollen. I don't wanna say. You'll see. You'll see.  
*We were given a photograph said to be taken after Michael Jackson was released on bail. Jackson says the swelling above his wrist is where the police handcuffed him.*

**ED BRADLEY:** How did they do it? I mean, what, physically, what did they do?

**MICHAEL JACKSON:** With the handcuffs, the way they tied 'em too tight behind my back —

**ED BRADLEY:** Behind your back?

**MICHAEL JACKSON:** Yeah. And putting it, they put it in a certain position, knowing that it's going to hurt, and affect my back. Now I can't move, I — I — it keeps me from sleeping at night. I can't sleep at night.

The Sheriff's Department denied the allegations. However, because of the seriousness of the allegations and the possibility of a civil claim for damages against the Sheriff's Department, Sheriff Jim Anderson on January 8, 2004, requested that the California Bureau of Investigation [CBI], under the jurisdiction of the California Attorney General, conduct an investigation into those allegations.



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Mr. Jackson maligned the Sheriff's Department

[REDACTED]

The charges were outrageous, offensive [REDACTED] The exposure to a civil lawsuit with potentially significant civil damages was present and the Sheriff and the County took those claims very

[REDACTED]

Mr. Jackson made a claim of mistreatment and abuse by the Sheriff's Department and its employees. He questioned the integrity of the department. His

[REDACTED]

Any comments about the [REDACTED] claims are at best tangentially related to the pending criminal matter, and they in no way relate to the criminal charges brought against Mr. Jackson.

[REDACTED]

NTY COUNSEL  
By of Santa Barbara  
301 Annapolis Street  
Santa Barbara, CA 93101  
(805) 962-1050

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The Sheriff, of necessity, believes he must be cautious about any comments regarding Mr. Jackson and he does not want to violate the court's protective order. The Sheriff therefore makes this request in order to avoid any charge of violation of the court order and seeks the court's

[REDACTED]

Dated: Aug 12, 2004

STEPHEN SHANE STARK  
COUNTY COUNSEL  
By [Signature]  
Stephen D. Underwood  
Chief Assistant County Counsel  
Attorneys for Jim Anderson, Sheriff,  
COUNTY OF SANTA BARBARA

COUNTY COUNSEL  
County of Santa Barbara  
109 East Annapolis Street  
Santa Barbara, CA 93101  
(805) 569-2050

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[REDACTED]  
PROPOSED REDACTED MOTION

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**PROOF OF SERVICE**  
**(C.C.P. §§ 1013(a), 2015.5)**  
**STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA**

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is 105 East Anapamu Street # 201, Santa Barbara, California.

On August 12, 2004 I served a true copy of the **NOTICE OF MOTION AND MOTION OF JIM ANDERSON, SANTA BARBARA COUNTY SHERIFF, FOR AUTHORIZATION TO RELEASE ATTORNEY GENERAL'S CONCLUSIONS REGARDING ITS INVESTIGATION INTO DEFENDANT'S ALLEGATIONS OF MISTREATMENT AT THE SANTA BARBARA COUNTY JAIL [REDACTED]** on the Interested Parties in said action by:

facsimile transmission to the person(s) indicated below:

Thomas A. Mesereau, Jr.  
Collins, Mesereau, Reddock & Yu, LLP  
(310) 861-1007

Steve Cochran, Esq.  
Katten, Muchln, Zavis & Rosenman, Lawyers  
(310) 712-8455

Robert Sanger, Esq.  
Sanger & Swysen, Lawyers  
(805) 963-7311

Thomas W. Sneddon, District Attorney  
Office of the District Attorney  
(805) 568-2398

depositing it in the United States Mail in a sealed envelope with postage thereon fully prepaid to the following:

Brian Oxman, Esq.  
Oxman & Jaroscak, Lawyers  
14126 E. Rosecrans Blvd.  
Santa Fe Springs, CA 90670

(State) I declare, under penalty of perjury, that the above is true and correct.

Executed on August 12, 2004 at Santa Barbara, California.

  
\_\_\_\_\_  
Estella Rios