

1 STEPHEN SHANE STARK, COUNTY COUNSEL  
STEPHEN D. UNDERWOOD, CHIEF ASSISTANT (sbn 063057)  
2 COUNTY OF SANTA BARBARA  
105 E. Anapamu St., Suite 201  
3 Santa Barbara, CA 93101  
(805) 568-2950 / FAX: (805) 568-2982

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

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

AUG 17 2004

GARY W. BLAIR, Executive Officer  
By *Catherine [Signature]*  
CARRIE [Signature], County Clerk

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

10  
11 **PEOPLE OF THE STATE OF  
CALIFORNIA,**

12 Plaintiffs,

Case No: 1133603

13 **APPLICATION OF JIM  
ANDERSON, SHERIFF, COUNTY  
OF SANTA BARBARA, THAT  
14 REPLY TO THE DEFENDANT'S  
OPPOSITION TO MOTION TO  
15 RELEASE ATTORNEY  
GENERAL'S CONCLUSIONS  
REGARDING ITS  
16 INVESTIGATION INTO  
DEFENDANT'S ALLEGATIONS  
17 OF MISTREATMENT AT THE  
SANTA BARBARA COUNTY JAIL  
18 BE CONDITIONALLY FILED  
UNDER SEAL; DECLARATION OF  
19 STEPHEN D. UNDERWOOD**

20 vs.

21 **MICHAEL JOE JACKSON,**

22 Defendant.

Date: August 19, 2004  
Time: 8:30 a.m.  
Dept: SM 2

**FILED UNDER SEAL**

Assigned Judge: Hon. Rodney S.  
Melville

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25 **TO THE HONORABLE RODNEY S. MELVILLE, JUDGE OF THE  
26 SUPERIOR COURT, AND ALL INTERESTED PARTIES:**

27 PLEASE TAKE NOTICE THAT Jim Anderson, Sheriff, County of Santa Barbara,  
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*Unsealed per order, dated 9/17/8/04*

1 hereby requests that this Court authorize the attached Reply to Defendant's  
2 Objection to Sheriff's Motion to Release Attorney General's Conclusions Regarding its  
3 Investigation into Defendant Michael Jackson's Allegations of Mistreatment at the  
4 Santa Barbara County Jail be filed under seal.

5 The attached Motion contains information that has not otherwise been  
6 released to the public, and potentially may be information that would violate this  
7 Court's protective order. It is therefore necessary to have the Motion sealed until the  
8 Court determines whether or not the information may be released.

9 Dated: Aug. 17, 2004

STEPHEN SHANE STARK  
COUNTY COUNSEL

By   
Stephen D. Underwood  
Chief Assistant County Counsel  
Attorneys for Jim Anderson, Sheriff,  
COUNTY OF SANTA BARBARA

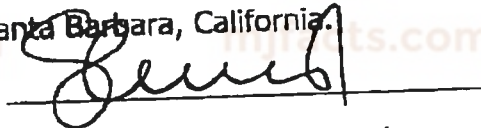
#### 14 **DECLARATION OF STEPHEN D. UNDERWOOD**

15 I Stephen D. Underwood, declare:

- 16 1. I am the attorney for Jim Anderson, Sheriff, County of Santa Barbara.
- 17 2. Since the Sheriff filed his Motion to Authorize the Release of the Attorney  
18 General's conclusions into its investigation regarding defendant's claims of  
19 mistreatment while at the Santa Barbara County jail, certain news media have  
20 obtained a copy of the conclusions and have made them public.
- 21 3. The Sheriff still desires to comment publicly concerning the Attorney General's  
22 investigation and does not want to violate this Court's January 16, 2004,  
23 Protective Order.
- 24 4. The Sheriff's Reply should therefore remain confidential and under seal.
- 25 5. The Sheriff requests by the within application that the Court conditionally seal  
26 the Reply until the matter is heard on August 19, 2004, or as otherwise is  
27 ordered by the Court.

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

2 Executed this 17<sup>th</sup> day of August 2004, at Santa Barbara, California.



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Stephen D. Underwood

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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 17, 2004 I served a true copy of the **APPLICATION OF JIM ANDERSON, SHERIFF, COUNTY OF SANTA BARBARA, THAT REPLY TO DEFENDANT'S OPPOSITION TO MOTION TO RELEASE ATTORNEY GENERAL'S CONCLUSIONS REGARDING ITS INVESTIGATION INTO DEFENDANT'S ALLEGATIONS OF MISTREATMENT AT THE SANTA BARBARA COUNTY JAIL BE CONDITIONALLY FILED UNDER SEAL; DECLARATION OF STEPHEN D. UNDERWOOD** 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, Muchin, Zavis & Rosenman, Lawyers  
(310) 712-8455

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

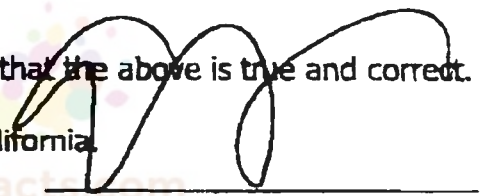
Thomas W. Sneddon, District Attorney  
Office of the District Attorney  
(805) 568-2398

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 17, 2004 at Santa Barbara, California.



Estella Rios