

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

Dated & Entered: AUGUST 17, 2004	Time: 10:00 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: CONTINUED HEARING ON MOTION TO SUPPRESS EVIDENCE (1538.5 P.C., PART 1); MOTION TO SUPPRESS EVIDENCE (1538.5 P.C., PART 2); MOTION FOR CLARIFICATION OF COURT'S ORDER; MOTION TO SEAL OPPOSITION TO MOTION TO QUASH CERTAIN SUBPOENAS; MOTION TO SEAL REPLY TO MOTION TO QUASH CERTAIN SUBPOENAS; MOTION TO SEAL REPLY TO MOTION TO CONTINUE TRIAL; MOTION TO SEAL DEFENDANT'S STATUS REPORT

Felony Complaint Filed December 18, 2003 charging the Defendant with Counts 1 thru 7: 288(a) P.C. a Felony, Counts 8 and 9: 222 P.C. a Felony, 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)

The Court made orders re: Sanctions, Search Warrant, Continuance

At 10:00 A.M. with Court, Counsel and Research Attorney Jed Beebe present, hearing proceeded.

Counsel present for the People are Thomas W. Sneddon, Jr., Gerald M. Franklin, Ronald Zonen and Gordon Auchincloss.

Counsel present for the Defendant are Thomas A. Mesereau, Jr., Robert M. Sanger, Steve Cochran, Susan Yu, Brian Oxman and Stacey Knight.

Investigating Officer for the District Attorney, Steve Robel, is present in Court.

1133603

PEOPLE OF THE STATE OF CALIFORNIA

VS

MICHAEL JOE JACKSON

AUGUST 17, 2004

PAGE TWO

A 977 Waiver is on file and the Defendant's presence is excused for this hearing.

The Court addressed the Courtroom's audio issue.

Attorney Zonen addressed the issue as to when Jane Doe will be available to testify in these proceedings. The Court orders that Attorney Zonen shall provide a letter from Jane Doe's doctor that shall indicate when Jane Doe will be able to testify in Court for these proceedings and the reason for the delay in her testifying if there is one.

Attorney Sneddon advised the Court that he is requesting an In Chambers conference re: a security issue. The Court will hold the In Chambers conference later today.

Further examination of Jeff Klapakis as a witness on behalf of the Defendant continued.

Attorneys Cochran and Zonen examined the witness.

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

- 34 Jeff Klapakis' 6-13-03 Report
- 35 8-12-04 Letter to Robert Sanger from Thomas Sneddon, Jr. and Operations Plan.

Stan Katz sworn and examined as a witness on behalf of the Defendant.

Attorney Oxman examined the witness.

The following Defendant's Exhibit Marked for Identification:

- 36 Copy of Subpoena to Dr. Stanley Katz
- 37 Detective Paul Zelis' Report of 6-13-03.

At 11:55 A.M. the Court ordered a recess until 1:30 P.M.

At 1:35 P.M. with Court, Counsel and Research Attorneys Jed Beebe and Tracy Splitgerber present, in the absence of the Defendant, hearing continued.

Investigating Officer for the District Attorney, Steve Robel, is present in Court.

The Court orders that the witness may assert the doctor-patient privilege and Dr. Katz shall not be required to reveal his patients. The Court admonished Counsel not to question the witness regarding the doctor's clients.

1133603

PEOPLE OF THE STATE OF CALIFORNIA
VS

MICHAEL JOE JACKSON

AUGUST 17, 2004

PAGE THREE

Further examination of Stan Katz as a witness on behalf of the Defendant continued.

Attorneys Oxman and Zonen examined the witness.

The Court ordered sanctions against Attorney Oxman for Contempt of Court in the sum of \$1,000.00 payable to the Court immediately. Attorney Oxman paid said sanctions by check.

Steve Robel recalled for further examination as a witness on behalf of the Defendant.

Attorneys Sanger and Zonen examined the witness.

Hearing on the Motion to Suppress Evidence pursuant to 1538.5 P.C. (Part 2) commenced.

Attorney Cochran made his opening argument to the Court re: the Motion to Quash the Search Warrant.

Attorney Zonen made his opening argument to the Court re: the Motion to Quash the Search Warrant.

Attorney Cochran made his closing argument to the Court re: The Motion to Quash the Search Warrant.

The Court finds that the defense has not carried their burden under Franks vs Delaware standards; that there was not any deliberate misrepresentations in the drafting of the original search warrant; that some relevant information may have been omitted that might have produced a somewhat more balanced view on a few points, but the omissions would not have affected the ultimate determination that probable cause existed for the search and would not have materially changed the scope of the search.

The Court further finds that there was probable cause to believe that Mr. Jackson had committed criminal offenses based on the statements of the minors involved; that there was probable cause to believe that corroborating evidence would likely still be found at his Neverland home, whether or not he fit the profile or alcohol was harmful to a minor or blood testing was compromised; that the evidence sought appropriately included documents and other items that might be found in either hard copy or computerized form; that because the omissions are not found to be material in the issuance of the warrant, there is no need to inquire into the accuracy of the facts through testimony.

Attorney Cochran made his opening argument to the Court re: whether items were seized beyond the scope of the search warrant and whether areas were searched beyond the scope of the search warrant.

Attorney Zonen made his opening argument to the Court re: whether items were seized beyond the scope of the search warrant and whether areas were searched beyond the scope of the search warrant.

1133603

PEOPLE OF THE STATE OF CALIFORNIA

VS

MICHAEL JOE JACKSON

PAGE FOUR

Attorney Cochran made further argument to the Court re: whether items were seized beyond the scope of the search warrant and whether areas were searched beyond the scope of the search warrant.

The Court further orders that Counsel for the Defendant shall provide the Court with a list of actual items the Defendant wants to suppress by Wednesday, August 18, 2004 at 5:00 P.M.; that a status report on any additional items shall be provided to the Court at a later time.

At 4:20 P.M. the Court ordered a recess until August 19, 2004 at 8:30 A.M.

In Chambers with Court, Attorneys Sneddon, Mesereau, Sanger, Research Attorney Tracy Splitgerber and Ross Ruth present, an In-Chambers conference was held re: security.

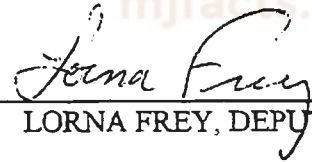
The Court further orders that the Reporter's transcript shall be sealed pursuant to the protective order and findings previously made by the Court and shall not be transcribed without further order of the Court.

At 4:30 P.M. Court Adjourned.

Defendant shall remain 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 AUGUST 26, 20 04, I served a copy of the attached MINUTE ORDER (DATED 8/17/04) addressed as follows:

THOMAS W. SNEDDON, DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE
1105 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

THOMAS A. MESEREAU, JR.
COLLINS, MESEREAU, REDDOCK & YU, LLP
1875 CENTURY PARK EAST, 7TH FLOOR
LOS ANGELES, CA 90067

FAX

By faxing true copies thereof to the receiving fax numbers of: 805-568-2398 (DISTRICT ATTORNEY); 310-861-1007 (THOMAS A. MESEREAU, JR.). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(i), 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.

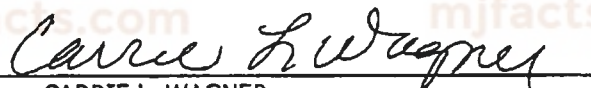
PERSONAL SERVICE

By leaving a true copy thereof at their office with their clerk therein or the person having charge thereof.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, subpost 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 26TH day of AUGUST, 20 04, at Santa Maria, California.


CARRIE L. WAGNER