

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA AUG 18 2004
(COOK DIVISION)

GARY M. BLAIR, Executive Officer
Gary M. Blair
MARIE L. WAGNER, Deputy Clerk

Case No: 1133603

1
2 **PEOPLE OF THE STATE OF**
3 **CALIFORNIA,**

4 Plaintiffs,

**[PROPOSED] ORDER
AUTHORIZING SEALING REPLY
OF SHERIFF TO OPPOSITION
TO MOTION TO AUTHORIZE
RELEASE OF ATTORNEY
GENERAL'S CONCLUSIONS
REGARDING ITS
INVESTIGATION INTO
DEFENDANT'S ALLEGATIONS
OF MISTREATMENT AT THE
SANTA BARBARA COUNTY JAIL**

FILED UNDER SEAL

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11 vs.

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

12 **MICHAEL JOE JACKSON,**

13 Defendant.

Assigned Judge: Hon. Rodney S.
Melville

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15 Having read and considered the request of Jim Anderson, Sheriff, County of
16 Santa Barbara, to seal his Reply to Defendant's Opposition to Sheriff's Motion seeking to
17 authorize release the Attorney General's conclusions regarding its investigation into
18 Defendant Michael Jackson's allegations of Mistreatment at the Santa Barbara County
19 Jail and to authorize Sheriff's Press Release, IT IS HEREBY ORDERED as follows:

- 20 1. There exist an overriding interest that overcomes the right of public access to the
21 record;
22 2. The overriding interest supports sealing the record;
23 3. A substantial probability exists that the overriding interest will be prejudiced in
24 the record is not sealed;
25 4. The proposed sealing order is narrowly tailored; and
26 5. No less restrictive means exist to achieve the overriding interest.

27 Dated: AUG 18 2004

Rodney S. Melville
Judge of the Superior Court

Entered per Order, dated 9/18/04

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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 [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, 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

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

Executed this 17th day of August 2004, at Santa Barbara, California.



Stephen D. Underwood



COUNTY COUNSEL
County of Santa Barbara
185 East Anapamu Street
Santa Barbara, CA 93101
(805) 968-2950

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 19, 20 04, I served a copy of the attached ORDER AUTHORIZING SEALING REPLY OF SHERIFF TO OPPOSITION TO MOTION TO AUTHORIZE RELEASE OF ATTORNEY GENERAL'S CONCLUSIONS REGARDING ITS INVESTIGATION INTO DEFENDANT'S ALLEGATIONS OF MISTREATMENT AT THE SANTA BARBARA COUNTY JAIL 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(1), 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 19TH day of AUGUST, 2004, at Santa Maria, California.


CARRIE L. WAGNER