

FILED
SUPERIOR COURT OF THE COUNTY OF SANTA BARBARA

SEP 17 2004

GARY W. BROWN, Executive Director
of Santa Barbara County Superior Court
CAPSIE L. WILSON, County Clerk

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

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff.

v.

MICHAEL JOE JACKSON,

Defendant.

No. 1133603

~~PROPOSED~~

ORDER DIRECTING THAT
SEARCH WARRANT NO.
SW 5116, THE SUPPORTING
AFFIDAVIT AND ANY RETURN
BE MAINTAINED UNDER
CONDITIONAL SEAL UNTIL
FURTHER ORDER OF COURT

It appearing from the Declaration of Gerald McC. Franklin and from the supporting affidavit in Santa Barbara Superior Court Search Warrant File No. SW 5116 that the affidavit contains confidential information, premature disclosure of which may prejudice an ongoing investigation and the constitutional right of both parties to a fair trial, the Court orders as follows:

1. That search warrant number SW 5116, its supporting affidavit, and any return presently on file or which may be filed between now and September 16, 2004 in Santa Barbara Superior Court File No. SW 5116. are conditionally sealed;
2. The motion to maintain those documents under conditional seal until further order of court shall be heard on September 16, 2004, at 8:30 a.m.

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SEP 6 2 2004
DATED: _____, 2004

Rodney S. Melville
RODNEY S. MELVILLE
Judge of the Superior Court



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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 SEPTEMBER 9, 20 04, I served a copy of the attached ORDER DIRECTING THAT SEARCH WARRANT NO. SW 5116, THE SUPPORTING AFFIDAVIT AND ANY RETURN BE MAINTAINED UNDER CONDITIONAL SEAL UNTIL FURTHER ORDER OF COURT 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

X 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 9TH day of SEPTEMBER, 20 04, at Santa Maria, California.

Carrie L Wagner
CARRIE L. WAGNER