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11 Attorneys for Defendant
12 **MICHAEL JOSEPH JACKSON**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SANTA BARBARA, COOK DIVISION**

16 **THE PEOPLE OF THE STATE OF CALIFORNIA,**

17 Plaintiffs,

18 vs.

19 **MICHAEL JOSEPH JACKSON,**

20 Defendant.

Case No. 1133603

21 ~~PROPOSED~~ ORDER THAT
22 TRANSCRIPT OF DEFENSE EXHIBIT 40
23 TO THE PENAL CODE SECTION 1538.5
24 MOTION AND ACCOMPANYING
25 DOCUMENTS BE FILED UNDER SEAL

Honorable Rodney S. Melville

26 **GOOD CAUSE APPEARING,** it is hereby ordered that the **TRANSCRIPT OF DEFENSE**
27 **EXHIBIT 40 TO THE PENAL CODE SECTION 1538.5 MOTION** and accompanying

28 **ORDER THAT TRANSCRIPT OF DEFENSE EXHIBIT 40 TO THE PENAL CODE SECTION 1538.5 MOTION**
BE FILED UNDER SEAL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

SEP 18 2011

GARY M. SUTHERLAND, Clerk
BY: [Signature] Deputy Clerk
CARRIE L. STONE, Deputy Clerk

DENIED

1 documents, be filed under seal.

2 mjfacts.com

3 mjfacts.com

DENIED

4 ts.com

5 DATED: _____

6 Judge of the Superior Court

7 mjfacts.com

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17 ORDER THAT TRANSCRIPT OF DEFENSE EXHIBIT 40 TO THE PENAL CODE SECTION 1538.5 MOTION
18 BE FILED UNDER SEAL

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PROOF OF SERVICE

I, the undersigned declare:

I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 233 East Carrillo Street, Suite C, Santa Barbara, California, 93101.

On September 10, 2004, I served the foregoing document **EX PARTE APPLICATION TO SUBMIT TO THE COURT THE ISSUE OF FILING UNDER SEAL** on the interested parties in this action by depositing a true copy thereof as follows:

Tom Sneddon
District Attorney
1105 Santa Barbara Street
Santa Barbara, CA 93101
805-568-2398

Theodore Boutrous
William Thomson
Gibson Dunn & Crutcher
333 South Grand Avenue
Los Angeles, CA 90071
213-229-7520

BY U.S. MAIL - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.

BY FACSIMILE - I caused the above-referenced document(s) to be transmitted via facsimile to the interested parties at

BY HAND - I caused the document to be hand delivered to the interested parties at the address above.

STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed September 10, 2004 at Santa Barbara, California.


Bobette J. Tryon

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 13, 20 04, I served a copy of the attached ORDER THAT TRANSCRIPT OF DEFENSE EXHIBIT 40 TO THE PENAL CODE SECTION 1538.5 MOTION AND ACCOMPANYING DOCUMENTS BE FILED UNDER SEAL **DENIED*** 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 13TH day of SEPTEMBER, 20 04, at Santa Maria, California.


CARRIE L. WAGNER