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2 County of Santa Barbara
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FILED
SUPERIOR COURT of CALIFORNIA
COUNTY OF SANTA BARBARA

DEC 09 2004

GARY M. BLAIR, Executive Officer
By *Carrie L. Wagner*
CARRIE L. WAGNER, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA BARBARA
10 SANTA MARIA DIVISION

11
12 THE PEOPLE OF THE STATE OF CALIFORNIA,)

No. 1133603

13 Plaintiff,)

~~PROPOSED~~ DISCOVERY ORDER

14 v.)

15)
16 MICHAEL JOE JACKSON,)

17 Defendant.)
18

19 On November 8, 2004, the court directed the District Attorney to prepare a discovery
20 order detailing the court's rulings from that day and items previously agreed upon by counsel.
21 The order was to constitute the People's discovery obligations to the defense. The People were
22 further ordered to provide a copy of the proposed discovery order to the defense before
23 submission to the court.

24 On November 19, 2004, the proposed discovery order was provided to the defense for
25 review. On December 2, 2004, the People received a letter from defense counsel, Susan Yu,
26 expressing no objections to the proposed discovery order.

27 GOOD CAUSE APPEARING, it is hereby ordered that the prosecuting attorney shall
28 disclose to the defendant or his or her attorney all of the following materials and information, if

Proposed Discovery Order

1 it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be
2 in the possession of the investigating agencies:

3 1. The names and addresses of persons the prosecutor intends to call as witnesses at
4 trial;

5 2. Statements of all defendants;

6 3. All relevant real evidence seized or obtained as a part of the investigation of the
7 offenses charged;

8 4. The existence of a felony conviction of any material witness whose credibility is
9 likely to be critical to the outcome of the trial;

10 5. Any exculpatory evidence;

11 6. Relevant written or recorded statements of witnesses or reports of the statements
12 of witnesses whom the prosecutor intends to call at the trial, including any reports or
13 statements of experts made in conjunction with the case, including the results of physical or
14 mental examinations, scientific tests, experiments, or comparisons which the prosecutor
15 intends to offer in evidence at the trial;

16 7. All crime reports prepared in relation to the investigation and prosecution of this
17 case including Extortion, Child Abduction and False Imprisonment crime reports;

18 8. In the event the alleged crimes occurred in other jurisdictions, please identify the
19 jurisdiction and the personnel from that jurisdiction;

20 9. All bail enhancement requests and documents;

21 10. List of all sworn and civilian employees who were present when Mr. Jackson
22 was booked;

23 11. List of all suspects who were being held in holding tank(s) when Mr. Jackson
24 was being booked;

25 12. All supervisor and watch commander logs that were generated and reflect issues
26 concerning Mr. Jackson's arrest and/or investigation;

27 13. Provide all officer or investigator notes and notebooks, audio and/or videotapes,
28 and police reports generated by the Santa Barbara Sheriff's Department, the Santa Barbara

1 District Attorney's Office, or any other social, law enforcement or criminal justice entity,
2 involved in the pre-arrest and/or post-arrest investigation of Michael Jackson in possession of
3 the District Attorney's Office or if known to be in the possession of the Santa Barbara Sheriff's
4 Department;

5 14. Provide all audio and videotapes, and identify by name and address all
6 participants and/or witnesses (including law enforcement officers, whether or not the
7 individual is audible and/or visible on the recording), in each situation, transaction and/or
8 occurrence recorded;

9 15. Subject to Penal Code section 1054.6, provide all e-mail communications
10 involving law enforcement, their agents or civilian witnesses required to comply with Penal
11 Code section 1054.1(a)(b)(c)(d)(e)(f);

12 16. Subject to Penal Code section 1054.6, provide all notes, records, reports, phone
13 conversations, statements (whether telephonic, in person, verbal, written, signed or unsigned),
14 recordings (audio, video and/or transcripts) involving District Attorney Tom Sneddon that
15 concern Michael Jackson's arrest, past and present investigations and/or inquiries conducted
16 and/or directed by Mr. Sneddon on behalf of the Santa Barbara District Attorney's Office
17 and/or by the current and former Sheriff of Santa Barbara County covered by Penal Code
18 section 1054.1 (a)(b)(c)(d) and (f), relating to any person who will be called as a witness or
19 pursuant to subsection (e) (exculpatory evidence).

20 17. All reports relating to the investigation, including, but not limited to, the results
21 of any electronic surveillance (including wire tapping) of conversations to which defendant
22 was a party, and, if so, any and all recorded conversations, electronic, mechanical,
23 stenographic or otherwise, between the defendant and any other persons, whether or not acting
24 on behalf of the prosecution, which are relevant to the subject matter charged, and which are in
25 the custody and control of the prosecution.

26 18. The results of any polygraph examination performed on any witness in this case;

27 19. Any evidence of any understanding or agreement as to any future prosecution or
28 punishment of any witnesses;

- 1 20. Any and all informants (sworn or civilian) in this case;
- 2 21. The records of all felony convictions and/or crimes of moral turpitude including
- 3 the existence of all pending charges and/or cases against any informant(s) who will be called as
- 4 witnesses or provided probable cause for any warrant related to this investigation;
- 5 22. The records of all payments and/or deals given to any informant used in this
- 6 case;
- 7 23. All information, in any form, of any inducements, promises, representations of
- 8 assurances, whether or not reduced to writing, given to any informant(s) involved in this
- 9 matter, related to this matter, including, but not limited to plea agreements, dismissals of
- 10 charges, and agreements not to prosecute, related to either the informant or any third party
- 11 beneficiary;
- 12 24. Police reports of any cases pending against the informant(s) at the time when the
- 13 information in the instant case was given;
- 14 25. The physical description and photographs (if any) of any confidential informant;
- 15 26. The name and address of any informant's employment, if employed;
- 16 27. Any relevant material or information which has been provided by an informant;
- 17 28. The prosecution shall provide all information which qualifies their informant as
- 18 reliable, including, but not limited to, defendant's name and case number for all cases in which
- 19 the informant gave information, what the specific information provided was, and what was
- 20 subsequently discovered;
- 21 29. All notes or memoranda, handwritten or typed, concerning conversations with
- 22 informants;
- 23 30. The names and addresses of all persons the prosecution calls as witnesses;
- 24 31. The contents of all statements made to witnesses and/or informants in order to
- 25 induce witnesses and/or informants to cooperate with the investigation, preparation and/or
- 26 prosecution of the above-entitled action;
- 27 32. All crime reports (including, but not limited to, follow-up reports, property
- 28 reports, scientific investigation reports, activity reports coroner reports, etc.) prepared in

1 relation to the investigation and prosecution of this case. This includes the notes of all police
2 officers of their activities and observations during the period of the investigation of this case;

3 33. Documents used by witnesses to refresh their memory for the trial;

4 34. Identities, including names and addresses, occupation titles, and present
5 assignments of all experts who prepared reports concerning their analysis or examinations
6 upon any physical evidence, whether or not the prosecution intends to call them at the trial;

7 35. All physical evidence, including, but not limited to, all documents, computers,
8 papers, books, records, photographs, phone records, which may be introduced at the trial;

9 36. All other physical evidence which is now in the possession of the prosecutors or
10 law enforcement officers or which has been examined and which has been examined and
11 which is in any way relevant to this proceeding;

12 37. Any reports or raw notes describing any of the physical evidence described
13 above;

14 38. The name and address of each person to whom any of the physical evidence in
15 this case was submitted for analysis including, but not limited to all criminalists, handwriting
16 experts, psychologists, et al.

17 39. All reports of scientific tests and examination relative to this case which have
18 been conducted by the prosecution and/or their agents;

19 40. The content and nature of any finding or scientific or expert opinion which has
20 been communicated to the prosecution but which has not been reduced to writing or a report;

21 41. The following reports, forms, and evidence pertaining to the investigation of this
22 case;

23 a. Follow-up investigation reports;

24 b. Supplemental reports;

25 c. Incident reports;

26 d. Chain of custody records;

27 e. Property reports;

28 f. All potentially exculpatory investigative leads;

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- g. All investigators present during interviews/inten'ogations;
- h. Six Pack (photo) comparisons;
- i. Field activity reports related to the investigation and charges;
- j. Names of supervisors who approved reports;

Dated: December 9, 2004



Rodney S. Melville
Judge of the Superior Court

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 DECEMBER 10, 20 04, I served a copy of the attached DISCOVERY ORDER addressed as follows:

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

THOMAS W. SNEDDON, JR.
DISTRICT ATTORNEY'S OFFICE
1112 SANTA BARBARA STREET
SANTA BARBARA, CA 93101

FAX

By faxing true copies thereof to the receiving fax numbers of: (310) 861-1007 (Thomas Mesereau, Jr.); (805) 568-2398 (Thomas Sneddon). Said transmission was reported complete and without error. Pursuant to California Rules of Court 2005(l), 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.

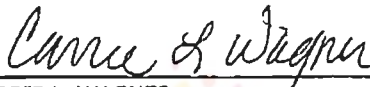
PERSONAL SERVICE

By leaving a true copy thereof at their office with the person having charge thereof or by hand delivery to the above mentioned parties.

EXPRESS MAIL

By depositing such envelope in a post office, mailbox, sub-post 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 10TH day of DECEMBER, 20 04, at Santa Maria, California.


CARRIE L. WAGNER