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FILED
SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

APR 04 2005

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

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 FOR THE COUNTY OF SANTA BARBARA, SANTA MARIA DIVISION

14 THE PEOPLE OF THE STATE OF
15 CALIFORNIA,

16 Plaintiff,

17 vs.

18 MICHAEL JOE JACKSON

19 Defendant.

) CASE NO. 1133603

) **OBJECTION TO ADMISSION OF 1108 AND
1101 EVIDENCE**

) HEARING:

) DATE: N/A
) TIME: N/A
) Dept.: SM-2

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OBJECTION

Michael Joe Jackson ("Mr. Jackson") hereby objects to the admission of third party witnesses under Evidence Code Sections 1108 and 1101 regarding Mr. Jackson's alleged sexual offenses when the alleged victims will not be testifying.

Mr. Jackson suffered prejudice because he could not address 1108 or 1101 evidence in opening statement.

Such admission violates Mr. Jackson's constitutional rights to confront witnesses, to have a fair trial, to due process of law, to a fair an impartial jury, to the effective assistance of counsel, and to equal protection of the laws and the privileges and immunities guaranteed by the 4th, 5th, 6th and 14th Amendments to the United States Constitutions and Article I of the California Constitution.

DATED: April 4, 2005

Respectfully submitted,

Thomas A. Mesereau, Jr.
Susan C. Yu
COLLINS, MESEREAU, REDDOCK & YU

Robert M. Sanger
SANGER & SWYSEN

Brian Oxman
OXMAN & JAROSCAK

By:



Susan C. Yu
Attorneys for Mr. MICHAEL J. JACKSON

1 PROOF OF SERVICE

2 I, the undersigned, declare:

3 I am a citizen of the United States of America. am over the age of eighteen (18)
4 years, and not a party to the within action. I am employed at 1875 Century Park East, 7th
5 Floor, Los Angeles, CA 90067. On April 4, 2005, I served the following document:

6 **OBJECTION TO ADMISSION OF 1108 AND 1101 EVIDENCE**

7 on the interested parties addressed as follows:

8 Thomas Sneddon, Esq., District Attorney
9 Gerald Franklin, Esq.
10 Ronald Zonen, Esq.
11 Gordon Auchincloss, Esq.
12 District Attorney's Office
13 1105 Santa Barbara Street
14 Santa Barbara, CA 93108
15 FAX: (805) 568-2398

16 BY MAIL: I placed each envelope, containing the foregoing document, with postage
17 fully prepaid, in the United States mail at Los Angeles, California. I am readily familiar
18 with the business practice for collection and processing of mail in this office; that in the
19 ordinary course of business said document would be deposited with the US Postal Service
20 in Los Angeles on that same day.

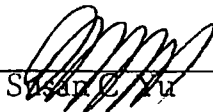
21 BY FACSIMILE: I served a copy of the within document on the above-interested
22 parties, by way of a facsimile, at the facsimile numbers listed above.

23 BY PERSONAL DELIVERY: I personally served the within document on the above
24 interested parties.

25 (State) I declare under penalty of perjury under the laws of the State of California
26 that the foregoing is true and correct.

27 (Federal) I declare that I am employed in the office of a member of the bar of this
28 court at whose direction the service was made.

Executed on April 4, 2005, at Los Angeles, California.

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23 _____
24 Susan C. Yu