

APR 22 2005

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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,)
14 v.) PLAINTIFF'S REQUEST FOR
15) USE IMMUNITY FOR
16 MICHAEL JOE JACKSON,) CYNTHIA MONTGOMERY
17 Defendant.) (Pen. Code, § 1324)
18)
19) DATE: TBA
20) TIME: 8:30 a.m.
21) DEPT: TBA (Melville)

22 The People respectfully show:

23 1. A trial in the above-captioned matter is underway. in which the People seek a
24 conviction of Michael Joe Jackson for conspiracy (Pen. Code, § 182) and on several counts of
25 violating Penal Code section 288, subdivision (a) (lewd acts upon a child under the age of 14),
26 a count of an attempt to commit that offense, and three counts of violating Penal Code section
27 277 (administering an intoxicating agent to a child to enable him to commit a felony violation
28 of section 288, subdivision (a) upon that child), alleged to have been committed between
February 20, 2003 and March 12, 2003.

2. CYNTHIA MONTGOMERY, subpoenaed as a witness by the prosecution, has

1 asserted her right to refuse to answer certain questions concerning her actions and observations
2 while in the employ of Defendant Michael Jackson.

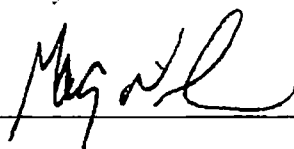
3 3. CYNTHIA MONTGOMERY's testimony is material on the issues before the
4 trier of fact in the above prosecution.

5 4. WHEREFORE, the District Attorney's Office of the County of Santa Barbara,
6 State of California, hereby requests the Judge of the Superior Court presiding over the ongoing
7 trial to order the said CYNTHIA MONTGOMERY to testify under a grant of **use immunity**
8 pursuant to Penal Code section 1324, which provides in part as follows:

9 [N]o testimony or other information compelled under the order
10 [compelling testimony] or any information directly or indirectly
11 derived from the testimony or other information may be used against
12 the witness in any criminal case. But he or she may nevertheless be
13 prosecuted or subjected to penalty or forfeiture for any perjury, false
14 swearing or contempt committed in answering, or failing to answer,
15 . . . in accordance with the order.

16 DATED: April 22, 2005

17 THOMAS W. SNEDDON, JR.
18 District Attorney

19 By: 
20 Mag Nicola
21 Senior Deputy District Attorney

22 Attorneys for Plaintiff
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