

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

Dated & Entered: JUNE 25, 2004	Time: 8:30 A.M.	F	
Honorable RODNEY S. MELVILLE		CC	
Deputy Clerk: L. FREY	Dept. SM TWO	CA	
Deputy Sheriff: T. RIOS		AC	
Court Reporter: M. MC NEIL	Case No. 1133603	SR	
Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA		ST	
vs.		DOC	X
Defendant(s): MICHAEL JOE JACKSON			
District Attorney: THOMAS W. SNEDDON, JR.			
Defense Counsel: THOMAS A. MESEREAU, JR.			
Probation Officer:	Interpreter:		

NATURE OF PROCEEDINGS: MOTION TO SEAL SEARCH WARRANT 4976; MOTION TO UNSEAL GRAND JURY TRANSCRIPT; MOTION TO SEAL PLAINTIFF'S MOTION FOR RELEASE OF CERTAIN EVIDENCE CURRENTLY IN THE POSSESSION OF THE COURT; MOTION FOR LEAVE TO AMEND THE SENTENCING ALLEGATION; MOTION TO SEAL SEARCH WARRANT NOS. 5015 THROUGH 5031; MOTION TO SEAL SEARCH WARRANT NO. 5035; MOTION TO SEAL SEARCH WARRANT NOS. 5005 THROUGH 5008; SETTING OF MOTION TO SEAL LODGED EXHIBIT; REPORT OF EX PARTE CONFERENCES AND ORDERS; STATUS OF DISCOVERY; MOTION TO SEAL DEFENDANT'S MOTION FOR ORDER COMPELLING PRIOR COUNSEL TO DELIVER FILES; MOTION TO SEAL DEFENDANT'S MOTION TO SUPPRESS PURSUANT TO PENAL CODE SEC. 1538.5; SETTING OF FURTHER MOTIONS

Felony Complaint Filed December 18, 2003 charging the Defendant with Counts 1 thru 7: 288(a) P.C. a Felony, Counts 8 and 9: 222 P.C. a Felony, Enhancements on Counts 1 through 7: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

Indictment filed April 21, 2004 charging the Defendant with Count 1: 182 P.C., a Felony, Counts 2 through 5: 288(a) P.C., Felonies, Count 6: 664/288(a) P.C., a Felony, Counts 7 through 10: 222 P.C., Felonies, Special Allegations on Counts 2 through 5: 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

The Court made orders re: Motions to Seal Search Warrants; Motions to Unseal Grand Jury Transcript; 995 P.C. Motion; Motion to Seal Plaintiff's Motion for Release of Certain Evidence Currently in the Possession of the Court; Motion for Leave to Amend the Sentencing Allegation in the Grand Jury Indictment; Motion to Seal Lodged Exhibits; Teal Motion; Copying of Grand Jury Exhibits; Seized Items; Production of Documents to the Defense; 1101 E.C. and 1108 E.C. Evidence; Motion re: Brafman's Files; Motion for Geragos' Files; 1538.5 P.C. (Part 1); FAXed Documents;

1133603

PEOPLE OF THE STATE OF CALIFORNIA

VS

MICHAEL JOE JACKSON

JUNE 25, 2004

PAGE TWO

Counsel present for the People are Thomas W. Sneddon, Jr., Gerald M. Franklin, Ronald J. Zonen and Gordon Auchincloss.

Counsel present for the Defendant are: Thomas A. Mesereau, Jr., Robert M. Sanger, Steve Cochran, Susan C. Yu and Stacey Knight.

Counsel present for the Media is: Theodore Boutrous.

A 977 Waiver is on file and the Defendant's presence is excused for this hearing.

At 8:30 A.M. with Court and Counsel present, in the absence of the Defendant, hearing proceeded.

The Court heard arguments by Counsel Mesereau and Boutrous re: the Motions to Seal Search Warrants 4976, 5005 through 5008, 5015 thru 5031, 5035, 5047 thru 5068, 5070 and 5071. The Court orders that said motions shall be granted; that upon the return of any Search Warrants not automatically provided to the Defendant, the District Attorney shall file the appropriate motion with the Court; that the Court shall issue findings and redacted warrants within the next two weeks.

The Court heard argument by Counsel Boutrous re: the Motion to Unseal the Grand Jury Transcript. The Court further orders that said motion shall be continued to July 9, 2004, 8:30 A.M. and shall be addressed with the 995 P.C. Motion.

Counsel Sneddon, Mesereau and Sanger addressed the Court re: the 995 P.C. Motion. The Court further orders that the Defendant's 995 P.C. Motion shall be filed by June 29, 2004; that the Counsel for the People shall respond by July 6, 2004, 12 Noon and the Defendant shall reply by July 8, 2004, 12 Noon.

The Court further orders that the Motion to Seal Plaintiff's Motion for Release of Certain Evidence Currently in the Possession of the Court shall be granted; that the Court shall issue findings and an order next week.

The Court further orders that the Motion for Leave to Amend the Sentencing Allegation in the Grand Jury Indictment shall be granted; that Special Allegations on Counts 2 through 5 shall be amended from 1197.7(c)(6) P.C. by interlineations on the Indictment to 1192.7(c)(6) P.C. and 1203.066(a)(8) P.C.

The Court further orders that the Motion to Seal Lodged Exhibits shall be filed by June 28, 2004; that said motion shall be heard on July 9, 2004, 8:30 A.M. Counsel Auchincloss addressed the Court and advised the Court that said motion will be filed today.

1133603
PEOPLE
VS
MICHAEL JOE JACKSON
JUNE 25, 2004
PAGE THREE

The Court further orders that the Teal Motion shall be discussed in Chambers re: the factual basis for the issue of subpoenas.

Counsel Cochran and Sneddon addressed the Court re: the status of discovery.

Counsel Cochran made a request to copy all of the Grand Jury exhibits. Counsel Sneddon has no objection with the exception of one exhibit that requires forensic analysis. The Court shall take up the forensic analysis item in Chambers.

Counsel Cochran and Auchincloss addressed the Court re: the seized items. Counsel advised the Court that the Sheriff has provided them with eight CDs and 24 DVDs recently. The Court further orders that subject to maintaining the integrity of the items, the Defense Counsel or their investigator may review the seized items; that after Counsel discuss any disputed items, if there is a problem re: viewing of the seized items, Counsel may contact the Court to resolve any dispute that may arise; that a person not involved in the prosecution shall be there to supervise when the Defense reviews the seized documents; that Counsel for the People and Counsel for the Defendant shall converse as to the need for a person involved in the case or not involved in the case to be present when the Defense reviews the seized documents

Counsel Cochran and Sneddon addressed the Court re: items not received by the Defense. Counsel Cochran advised the Court that a full set of unredacted Search Warrant Affidavits have not been received.

The Court further orders that Counsel for the People shall review materials that have been given to the Defense and shall immediately give them any items not yet produced.

The Court further orders that if the District Attorney plans to use evidence pursuant to 1101 E.C. or 1108 E.C., he shall advise the Defendant if they are going to proceed; that Counsel shall converse regarding evidence re: contact with certain witnesses; that if they have not already been provided, the video tapes shall be provided by early next week.

The Court advised Counsel for the media that all ex-parte hearings, whether in person or by phone, are reported by the Court Reporter and there is nothing conducted off the record in this case.

At 9:40 A.M. the Court adjourned to Chambers for an In Camera Hearing With the Court, Attorneys Thomas Sneddon, Thomas Mesereau, Robert Sanger and Steve Cochran and the Research Attorneys Jed Beebe and Tracy Splitgerber present, regarding the 995 P.C. Motion, Teal Motion, Motion to Compel Prior Counsel to Deliver Files, 1538.5 P.C. Motion, Grand Jury Exhibits.

At 10:40 A.M. the In Camera session was completed.

1133603
PEOPLE
VS
MICHAEL JOE JACKSON
JUNE 25, 2004
PAGE FOUR

The Court further orders that the Reporter's transcript of the In-Camera hearing shall be sealed pursuant to the protective order and findings made by the Court and shall not be transcribed without further order of the Court.

At 10:45 A.M. with Court and Counsel present, hearing continued.

The Court further orders that the Teal Motion shall be granted; that the Court shall complete the order next week.

The Court further orders that the method for handling items for forensic purposes shall go forward as agreed upon in Chambers; that the prosecution shall provide photos of items to be removed for forensic testing to the Defense and after the Defense has had an opportunity to view the items with the photos, said items may be removed for testing and returned upon the completion of the testing; that the District Attorney shall file a motion for relief if they don't comply with said order.

The Court further orders that Attorney Brafman shall turn over any files and work product that have not already been turned over to Counsel for the Defendant; that said motion shall be filed under seal; that the Court will complete drafting of said order next week.

The Court further orders that an order shortening time shall be granted for a Motion for Attorney Geragos to turn over any files and work product to Counsel for the Defense; that said motion shall be filed under seal with proposed redacted order; that said motion shall be heard on July 9, 2004, 8:30 A.M.

The Court further orders that the Defendant's 1538.5 P.C. Motion (Part 1) shall be filed under seal; that hearing on said motion shall be held on July 9, 2004, 8:30 A.M.; that the District Attorney shall respond to said motion five days from today under seal and the Defense shall reply by July 6, 2004 under seal.

The Court further orders that the Counsel for the People shall check with the Sheriff to see if a copy of the log previously lodged with the Court can be forwarded to Counsel for the Defendant by July 9, 2004.

The Court further orders that the Counsel shall not FAX copies of their documents to the Research Attorney.

The Court advised Counsel that the target date for August is Monday, August 16, 2004 at 9:30 A.M. for the hearing on the 1538.5 P.C. Motion; that the requirement for the Defendant's presence shall be further discussed on July 9, 2004, 8:30 A.M.

The Court orders that the Defendant shall remain on the bail previously posted.

1133603

PEOPLE OF THE STATE OF CALIFORNIA

VS

MICHAEL JOE JACKSON

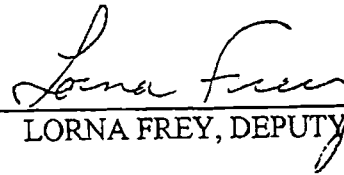
JUNE 25, 2004

PAGE FIVE

At 11:00 A.M. Court adjourned.

CLERK OF THE SUPERIOR COURT

BY



LORNA FREY, DEPUTY CLERK