

MEDIA AGENCY (name): All Media Agencies CHANNEL/FREQUENCY NO.: PERSON SUBMITTING REQUEST (name): ADDRESS: TELEPHONE NO.:	FOR COURT USE ONLY Filed APR 22 2009 ROSA JUNQUEIRO, CLERK <i>Cheryl Machado</i> DEPUTY CASE NUMBER: SF111539A
Insert name of court and name of judicial district and branch court, if any: San Joaquin County Superior Court - Stockton Branch	
TITLE OF CASE: People vs. Melissa Chantel Huckaby	
NAME OF JUDGE: Hon. Linda L. Lofthus	
ORDER ON MEDIA REQUEST TO PERMIT COVERAGE	

AGENCY MAKING REQUEST (name):

1. a. No hearing was held.
 b. Date of hearing: Time: Dept./Div.: Room:
2. The court considered all the relevant factors listed in subdivision (e)(3) of California Rules of Court, rule 1.150 (see reverse).
3. **THE COURT FINDS** (findings or a statement of decision are optional): Attached As follows:

THE COURT ORDERS

4. The request to photograph, record, or broadcast is
- a. **denied.**
- b. **granted** subject to the conditions in rule 1.150, California Rules of Court, **AND** the following:
- (1) The local rules of this court regulating media activity outside the courtroom (copy attached).
 - (2) The order of the presiding or supervising judge regulating media activity outside the courtroom (copy attached).
 - (3) Payment to the clerk of increased court- incurred costs of (specify): \$ to be determined.
 - (4) The media agency shall demonstrate to the court that the proposed personnel and equipment comply with California Rules of Court, rule 1.150, and any local rule or order.
 - (5) Personnel and equipment shall be placed as directed as indicated in the attachment as follows (specify):
 - (6) (i) The attached statement of agreed pooling arrangements is approved.
 - (ii) A statement of agreed pooling arrangements satisfactory to the court shall be filed before coverage begins.
 - (7) This order
 - (i) shall not apply to allow coverage of proceedings that are continued.
 - (ii) shall apply to allow coverage of proceedings that are continued.
 - (8) Other (specify):

5. Coverage granted in item 4b is permitted in the following proceedings:
- a. All proceedings, except those prohibited by California Rules of Court, rule 1.150, and those proceedings prohibited by further court order.
- b. Only the following proceedings (specify type or date or both):

6. The order made on (date): 4/22/09 is terminated modified as follows (specify):
 shall continue for future hearings until modified. The local rules of this court and the Order of the Presiding Judge regulating media activity outside the courtroom are attached.

7. Number of pages attached: 8

Date: APR 22 2009

(See reverse for additional information)

Linda L. Lofthus
 JUDGE

CASE NAME: People vs. Melissa Chantel Huckaby	CASE NUMBER: SF111539A
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FACTORS CONSIDERED BY THE JUDGE IN MAKING THIS ORDER (Rule 1.150)

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| <ol style="list-style-type: none"> 1. Importance of maintaining public trust and confidence in the judicial system 2. Importance of promoting public access to the judicial system 3. Parties' support of or opposition to the request 4. Nature of the case 5. Privacy rights of all participants in the proceeding, including witnesses, jurors, and victims 6. Effect on any minor who is a party, prospective witness, victim, or other participant in the proceeding 7. Effect on the parties' ability to select a fair and unbiased jury 8. Effect on any ongoing law enforcement activity in the case 9. Effect on any unresolved identification issues 10. Effect on any subsequent proceedings in the case | <ol style="list-style-type: none"> 11. Effect of coverage on the willingness of witnesses to cooperate, including the risk that coverage will engender threats to the health or safety of any witness 12. Effect on excluded witnesses who would have access to the televised testimony of prior witnesses 13. Scope of the coverage and whether partial coverage might unfairly influence or distract the jury 14. Difficulty of jury selection if a mistrial is declared 15. Security and dignity of the court 16. Undue administrative or financial burden to the court or participants 17. Interference with neighboring courtrooms 18. Maintaining orderly conduct of the proceeding 19. Any other factor the judge deems relevant |
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PROHIBITED COVERAGE (Rule 1.150)

This order does not permit photographing, recording, or broadcasting of the following in the court:

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| <ol style="list-style-type: none"> 1. The jury or the spectators 2. Jury selection 3. A conference between an attorney and a client, witness, or aide 4. A conference between attorneys | <ol style="list-style-type: none"> 5. A conference between counsel and the judge at the bench ("sidebars") 6. A proceeding closed to the public 7. A proceeding held in chambers |
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MEDIA PERSONNEL AND EQUIPMENT (Rule 1.150)

NOTE: These requirements apply unless the judge orders otherwise. Refer to the order for additional requirements.

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| <ol style="list-style-type: none"> 1. No more than one television camera 2. No more than one still photographer 3. No more than one microphone operator and no obtrusive microphones or wiring 4. No operator entry or exit or other distraction when the court is in session 5. No moving equipment when the court is in session | <ol style="list-style-type: none"> 6. No distracting sounds or lights 7. No visible signal light or device that shows when equipment is operating 8. No disruption of proceedings, nor public expense, to install, operate, or remove modifications to existing sound and lighting systems 9. No media agency insignia or marking on equipment or clothing |
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SANCTIONS FOR VIOLATING THIS ORDER (Rule 1.150)

Any violation of this order or rule 1.150 is an unlawful interference with the proceedings of the court. The violation may result in an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions.

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SUPERIOR COURT

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN

PEOPLE OF THE STATE OF CALIFORNIA ,

Plaintiff/Respondent,

v.

MELISSA HUCKABY,

Defendant/Appellant.

To be determined upon
Case No. filing of complaint

ORDER REGARDING MEDIA ACTIVITY
IN PUBLIC AREAS WITHIN THE
COURTHOUSE
Local Rule 1-107(F)(9)

IT IS HEREBY ORDERED that photography, videotaping, filming, audio recording, and broadcasting in the public hallways, stairwells, elevators, and lobby of the Stockton Branch at 222 East Weber Avenue, Stockton California is prohibited on April 14, 2009 and on any day thereafter when the above captioned case is on the court's calendar.

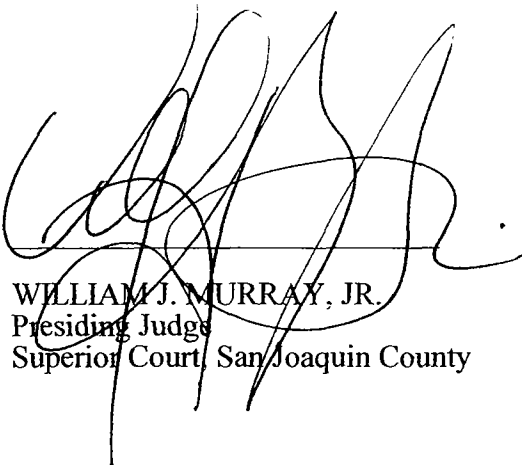
Photography, videotaping, filming, audio recording, and broadcasting inside of the courtroom shall be governed by California Rule of Court 1.150 and Local Rule 1-107.

Violations of this order may be addressed by immediate termination of the prohibited activity, citation for contempt of court, order imposing monetary sanctions, and/or order

1 prohibiting the media agency from future photography, videotaping, filming, audio recording,
2 broadcasting in the courtrooms, public hallways, public lobby, stairwells, elevators, or any other
3 public area in any San Joaquin County Superior Court facility concerning the above captioned
4 case or concerning any other matter.

5 This order shall remain in effect unless modified or vacated by order of the court.

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WILLIAM J. MURRAY, JR.
Presiding Judge
Superior Court, San Joaquin County

Dated: April 13, 2009

shall also act as Clerk of the Superior Court and perform the duties of Jury Commissioner of the County. His or her duties are those contained in his or her job description, in California Rules of Court, Rule 207, and as further assigned by the Presiding Judge. (Eff. 01/01/99).

1-106. FIREARMS

Except as specified below, no person shall bring any firearm into:

- A. the south wing of the Courthouse, housing Departments 11-16, 21-26 and 31-36, located at 222 E. Weber Avenue in Stockton, California;
- B. Departments B1, 17, 41 and 42 located in the Courthouse at 222 E. Weber Avenue, Stockton, California;
- C. the court wing of Dept. L1 located at 230 W. Elm Street, Lodi, California;
- D. the building which houses Department L2 located at 315 W. Elm Street, Lodi, California;
- E. the main lobby entrance or courtrooms of Departments M1 and M2 located at 315 E. Center Street, Manteca, California;
- F. the main lobby entrance or courtrooms of Departments T1 and T2 located at 475 E. Tenth Street, Tracy, California;
- G. the court wing beginning at the door entry to the metal detectors of the building that houses Departments J1 and J2 located at 535 W. Matthews Road in French Camp; or
- H. any courtroom located anywhere in the county.

The following persons are exempt from the above rule:

- I. A duly appointed peace officer of this state, or of another state or the federal government who is carrying out official duties while in California, who is on official business and not a litigant in any matter for which they are present. No peace officer, or any other person, shall carry a firearm into a courtroom when they are a litigant in any matter for which they are present;
- J. A peace officer as described above, attorney in a matter, or investigator who is not a litigant and has a firearm that is evidence in the matter in that courtroom. Such individual must notify the bailiff of the presence of the firearm and provide the firearm to the bailiff for inspection prior to entry into the courtroom or immediately thereafter.

Failure to abide by this rule will be punishable as contempt of court. (Eff. 07/01/99)

1-107. MEDIA COVERAGE

- A. This rule is established under the authority recognized in subdivision (e)(4) of California Rule of Court 980 to supplement Rule 980. The words and phrases used in this rule have the same meanings as in Rule 980. Nothing in this rule changes or affects the procedures established in the California Rules of Court regarding the coverage of court proceedings by electronic media.
- B. Knowledge of the Rule

California Rule of Court 980, subdivision (e)(4) requires that each media agency is responsible for ensuring that all of its personnel who cover court proceedings know and follow Rule 980. Each media agency shall also be responsible for ensuring that its personnel know and follow this rule.

C. Media Requests

1. The approved Judicial Council form shall be filed with the court's Public Information Office. This shall be done at least 5 court days before the hearing unless the request involves a new case, advanced hearing, or there is other good cause for filing the form less than 5 court days before the hearing.
2. Media personnel, representatives of media agencies, and attorneys for media agencies shall not communicate with the assigned judge or presiding judge concerning a request to modify an order issued under Rule 980 or this local rule other than by the approved Judicial Council form, written application noticed to the litigants, or at a public hearing. Any media agency aggrieved by the provisions of this local rule or aggrieved by an order made pursuant to this local rule concerning areas outside a courtroom may apply to the presiding judge to modify the application of the rule or order or to be exempted from it. A written application to the presiding judge shall be filed with the Public Information Office, but shall first be served upon the parties in any litigation that is the subject of the media request. An oral application may only be made at a hearing and only when any affected parties in the subject litigation have been given notice of the hearing. Media personnel, representatives of media agencies, and attorneys for media agencies shall not make ex-parte contact with the presiding judge when applying for a modification or exemption. The hearing shall be scheduled by contacting the Public Information Office.

D. Coverage Inside of the Courthouse

(1) Purpose

Metal detection and other security measures are installed at the entrance of the court's courthouses. The hallways in the Stockton Branch are used to walk in-custody prisoners to and from courtrooms because there is no other access. Prospective and sworn jurors often congregate in the same hallways. There are only seven jury deliberation rooms at the Stockton Branch. Prospective and sworn jurors, witnesses, spectators, litigants, and their children also congregate in the same hallways. Often these hallways are quite congested. The Lodi, Manteca, Tracy, and Juvenile Justice Center have lobby areas where prospective and sworn jurors, witnesses, spectators, litigants, and children congregate. Photographing, videotaping, filming, broadcasting in these areas may interfere with those activities, including security operations. (Eff. 07/01/05)

Accordingly, this subdivision is established to:

- (a) Protect the privacy rights of prospective jurors, seated jurors, witnesses, victims, and court spectators as contemplated by subdivisions (e)(3)(v) and (e)(6)(iv) of Rule 980.
- (b) Preserve the security of the court and the safety of people in the courthouse as contemplated by subdivision (e)(xv) of Rule 980.
- (c) Preserve the dignity of the court and prevent interference with the orderly

conduct of proceedings in courtrooms as contemplated in subdivisions (e)(3)(xv), (xvii), (xviii) of Rule 980 which could be affected by disruptions in the hallways outside of courtrooms.

(2) Jurors

Photographing, videotaping, filming, broadcasting, and electronic recording of jurors in the courtroom is prohibited by subdivision (e)(6)(iv) of California Rule of Court 980. Except as provided below, the photographing, videotaping, filming, broadcasting, and electronic recording of anyone wearing a juror badge, whether intentional or inadvertent, anywhere in any San Joaquin County Superior Court courthouse shall also be prohibited. The photographing, videotaping, filming, broadcasting, and electronic recording of anyone standing in line going into the Jury Assembly Room at the Stockton Branch is also prohibited. The faces of anyone wearing juror badges or anyone standing in line going into the Jury Assembly Room at the Stockton Branch inadvertently depicted in the background of any photograph or videotape must be blurred or digitized beyond recognition before being published or broadcasted. Photographing, videotaping, filming, broadcasting, and electronic recording of prospective jurors who have been discharged from service, seated jurors who have been discharged from service or alternates who have been discharged from service is permitted in the courthouse only when that person consents.

(3) Spectators

(a) Photographing, videotaping, filming, broadcasting, and electronic recording of courtroom spectators is prohibited by subdivision (e)(6)(iv) of California Rule of Court 980. This prohibition shall apply to the photographing or videotaping of any person while seated in any San Joaquin County courtroom audience, regardless of whether that person participated in the case or is scheduled to participate in the case as a witness or any other capacity. The faces of spectators depicted in the background of any photograph or videotape must be blurred or digitized beyond recognition before being published or broadcasted. When courtroom photography or videotaping is permitted, the court will work with the media to situate photographers in positions where spectators are not likely to be depicted in the background.

(b) The prohibition against photographing, videotaping, filming, broadcasting, or electronic recording of spectators shall not apply to any person situated in the audience who becomes disruptive or who addresses the court if a 980 authorization has previously been granted for those proceedings. However, the judge who authorizes a 980 request may prohibit in advance the photographing, videotaping, filming, broadcasting, or electronic recording of spectators who become disruptive or who address the court when granting the 980 request.

(4) Stockton Branch

Unless approved by written order of the presiding judge of this court or a judicial officer designated by the presiding judge, photographing, videotaping, filming, broadcasting, and electronic recording of any kind, other than handheld recording devices used for personal note taking, is prohibited in the following parts of the Stockton Branch courthouse:

(a) In any hallway by a photographer who is situated within a 10 foot radius

of the doors to any courtroom. Photographers must situate themselves outside 10 foot radius so as to not inhibit or obstruct entry into or exit from the courtroom. Unless there is consent, photographers and media personnel shall not inhibit or obstruct any person's movements anywhere in the courthouse.

- (b) Through a door window or open courtroom door from the hallway outside of any courtroom into that courtroom unless authorized by order of the judge presiding in that courtroom.
 - (c) In the Jury Assembly Room, from the hallway into the Jury Assembly Room, or in jury deliberation rooms.
- (5) Stockton Branch - Hallways and Lobby
- (a) Sheriff's court security staff have the authority to order members of the public, including members of the media, to move out of the way during prisoner escort in courthouse hallways. Members of the media must comply whenever sheriff's court security staff performing prisoner escort or other security procedures order them to move to some other location in the hallway.
 - (b) Members of the public, including members of the media, shall not obstruct or compromise the security operations in the lobby and shall not obstruct the movement of people in the lobby. Sheriff's court security staff have the authority to determine when security operations are compromised or obstructed by persons in the lobby. Members of the media must comply whenever a sheriff's court security supervisor or supervisor of weapons screening determines that security operations are compromised or obstructed by the media presence and orders them to move out of the lobby.
 - (c) Members of the media shall not obstruct the movements of any individual walking anywhere in the courthouse without that person's consent.
- (6) Juvenile Justice Center
- Unless approved by written order of the presiding juvenile judge or a judicial officer designated by the presiding juvenile judge, photographing, videotaping, filming, broadcasting, and electronic recording of any kind other than handheld recording devices used for personal note taking is prohibited anywhere in the Juvenile Justice Center branch. Cameras and recording devices shall be turned off while being transported in any area within this branch.
- (7) Handheld Audio Recording Equipment
- Other than in the courtrooms, the use of handheld audio recording equipment for note-taking purposes is not prohibited in the courthouse.
- (8) Obstructions Outside of the Courthouse
- Photographing, videotaping, filming, broadcasting, and electronic recording at or near the entrances of any of the branches is not prohibited, but such media coverage shall not obstruct pedestrian traffic or compromise security.

(9) Additional Orders

On occasion, the media interest in given court proceedings may be so intensive that additional prohibitions are warranted to satisfy the concerns listed in section 1-107D(1). Accordingly, when such is the case or when other circumstances warrant, the presiding judge or judicial officer designated by the presiding judge shall make whatever orders are necessary governing photographing, videotaping, audio recording, and broadcasting in the hallways, stairwells, elevators and other areas within any of the courthouse branches.

(10) Media Coverage in Courtrooms

Photographing, videotaping, filming, broadcasting inside of courtrooms shall continue to be governed by California Rule of Court 980 and any other rules established by the California Judicial Council.

E. Rule Violations

Violations of this local rule or any orders of the court may be addressed in the ways listed in subdivision (f) of California Rule of Court 980. Additionally, any media agency who violates any provision in Rule 980 or this local rule may be prohibited from photography, videotaping, filming, broadcasting or electronic recording of future court proceedings inside courtrooms. (Eff. 07/01/05)

1-108. USE OF CAMERA PHONES, OTHER PHOTOGRAPHIC EQUIPMENT AND AUDIO RECORDING EQUIPMENT

- A. This rule covers the use of any photographic, video and audio recording or transmission equipment by people not working in a media capacity. For purposes of this rule, photographic equipment includes, but is not limited to: cameras, camera phones, and video recording cameras.
- B. The use of photographic equipment and audio recording or transmission equipment in any courtroom, through a courtroom door window into any courtroom, or from an entryway into a courtroom is prohibited without the advance permission of the judge.
- C. The use of photographic equipment or audio recording or transmission equipment in any jury assembly room or juror deliberation room, through a window into such rooms, or into any such rooms from any vantage point outside of such rooms is prohibited without advance permission of the Presiding Judge, Jury Commissioner, or their designees.
- D. Photographing, videotaping, filming, and electronic recording of anyone wearing a juror badge anywhere inside a courthouse is prohibited. Photographing, videotaping, filming, and electronic recording of anyone standing in line awaiting entry into a jury assembly room is also prohibited.
- E. Photographing, videotaping, filming, and electronic recording of anyone involved in any case, including litigants, witnesses, and spectators, anywhere inside a courthouse is prohibited.
- F. Unless approved by written order of the presiding juvenile judge or a judicial officer designated by the presiding juvenile judge, photographing, videotaping, filming, broadcasting, and electronic recording is prohibited anywhere in the Juvenile Justice Center.

- G. The prohibitions against photographing, videotaping, filming, and electronic recording outside of a courtroom any persons listed in this rule do not apply if such person consents. Nothing in this rule shall be read to prohibit photography associated with weddings as long as persons who are prohibited from being photographed in this rule are not depicted in such photos.
- H. Photography, video and electronic recording equipment used in violation of this rule is subject to confiscation. Any person who is a party, witness, or attorney of a party and who violates this rule is subject to punishment under Code of Civil Procedure section 177.5. Any other person who violates this rule is subject to punishment for contempt of court. (Eff. 07/01/05)

1-109. COMMISSIONERS JUVENILE COURT REFEREES APPOINTED JUDGE PRO TEMPORE

Commissioners and Juvenile Court Referees of the San Joaquin County Superior Court are appointed Judge Pro Tempore in all matters calendared, or otherwise assigned, to them. They are granted full judicial power until a final determination of the matter. (Eff. 07/01/06)

The form of the posted notice is: "Commissioners and Juvenile Court Referees are appointed Judge Pro Tempore for all hearings and trials before them. Your appearance, without prompt notice to the contrary, constitutes your stipulation to this appointment, which grants full judicial powers until a final determination of the cause." (Eff. 01/01/04)

1-110. DANGEROUS, LARGE OR BULKY EXHIBITS

- A. Permission from the judge assigned to the hearing or trial must be obtained before a party may bring dangerous, large or bulky exhibits into the courthouse. If possible, the party should substitute a photograph, technical report, or dummy object for proposed exhibits which are either:
 - 1. Inherently dangerous, such as:
 - a. Firearms;
 - b. Any type of explosive powder;
 - c. Explosive chemicals, toluene, ethane;
 - d. Explosive devices, such as gasoline, kerosene, lighter fluid, paint thinner, ethylether;
 - e. Flammable liquids such as gasoline, kerosene, lighter fluid, paint thinner, ethylether;
 - f. Canisters containing tear gas, mace;
 - g. Rags which have been soaked with flammable liquids;
 - h. Liquid drugs such as phencyclidine (PCP), methamphetamine, corrosive liquids, pyramiding, morphine, or piperidine;
 - i. Samples of any bodily fluids, liquid or dried; or
 - j. Controlled or toxic substances.