

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) Judith A. Odbert 1912 I Street, Sacramento Sacramento, CA 95811  EMAIL ADDRESS (Optional): jodbert@mastagni.com ATTORNEY FOR (Name): Jereh Lubrin	TELEPHONE NUMBER: 916-446-4692  FOR COURT USE ONLY  <b>FILED</b>  DEC 08 2015  DAVID H. YAMASAKI Chief Executive Officer/Clerk Superior Court of California, County of Santa Clara By <i>[Signature]</i> DEPUTY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</b> STREET ADDRESS: 190 West Hedding St., San Jose, CA 95110 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Hall of Justice Courthouse	
<p style="text-align: center;"><b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs. Jereh Lubrin, Rafael Rodriguez, and Matthew Farris</p>	
<p style="text-align: center;"><b>APPLICATION FOR SEALING OF DOCUMENTS</b></p>	
CASE NUMBER: C1519377	

1. Party seeking sealing order: Jereh Lubrin

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2. List documents sought to be sealed with specificity:  
See Attached Cover Sheet  


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3.  Memorandum and Declaration of Facts are attached.
4.  This application was served on all parties who have appeared in this action and any party that already possesses copies of the records to be placed under seal have been served with a completed, un-redacted version of all papers as well as a redacted version. Proof of Service is attached.
5.  List of documents submitted to the Court:  
See Attached Cover Sheet  


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ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) <b>Matthe B. Pavone</b> 750 Grant Ave, Suite 250 Novato, CA 94945 EMAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>Rafael Rodriguez</b>	TELEPHONE NUMBER: 415-209-9610 FOR COURT USE ONLY <div style="text-align: center; font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> <div style="text-align: center; font-size: 1.2em; font-weight: bold;">DEC 08 2015</div> <div style="text-align: center;"> <b>DAVID H. YAMASAKI</b>  <small>Chief Executive Officer/Clerk          Superior Court / County of Santa Clara</small>          By <u><i>[Signature]</i></u> DEPUTY       </div>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</b> STREET ADDRESS: 190 West Hedding St., San Jose, CA 95110 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Hall of Justice Courthouse	
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs. Jereh Lubrin, Rafael Rodriguez, and Matthew Farris	
<b>APPLICATION FOR SEALING OF DOCUMENTS</b>	CASE NUMBER: C1519377

1. Party seeking sealing order: Rafael Rodriguez
  
2. List documents sought to be sealed with specificity:  
See Attached Cover Sheet  


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3.  Memorandum and Declaration of Facts are attached.
  
4.  This application was served on all parties who have appeared in this action and any party that already possesses copies of the records to be placed under seal have been served with a completed, un-redacted version of all papers as well as a redacted version. Proof of Service is attached.
  
5.  List of documents submitted to the Court:  
See Attached Cover Sheet  


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ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) William R. Rapoport 643 Bair Island Road, Suit 400 Redwood City, CA 94063 EMAIL ADDRESS (Optional):	TELEPHONE NUMBER: 650-340-7107	FOR COURT USE ONLY  <div style="text-align: center; font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> <div style="text-align: center; font-size: 1.2em; font-weight: bold;">DEC 08 2015</div> <div style="text-align: center;">                     DAVID H. YAMASAKI                      Chief Executive Officer/Clerk                      Superior Court of Santa Clara County of Santa Clara                      By <u><i>[Signature]</i></u> DEPUTY                 </div>
ATTORNEY FOR (Name): Matthew Farris <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</b> STREET ADDRESS: 190 West Hedding St., San Jose, CA 95110 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Hall of Justice Courthouse		
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs. Jereh Lubrin, Rafael Rodriguez, and Matthew Farris		
<b>APPLICATION FOR SEALING OF DOCUMENTS</b>		
		CASE NUMBER: C1519377

1. Party seeking sealing order: Matthew Farris
  
2. List documents sought to be sealed with specificity:  
See Attached Cover Sheet  


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3.  Memorandum and Declaration of Facts are attached.
  
4.  This application was served on all parties who have appeared in this action and any party that already possesses copies of the records to be placed under seal have been served with a completed, un-redacted version of all papers as well as a redacted version. Proof of Service is attached.
  
5.  List of documents submitted to the Court:  
See Attached Cover Sheet  


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1 JUDITH A. ODBERT (SBN 131261)  
2 JOSHUA A. OLANDER (SBN 249292)  
3 MASTAGNI HOLSTEDT, A.P.C.  
4 1912 "I" Street  
5 Sacramento, California 95811  
6 Tel: (916) 446-4692  
7 Fax: (916) 447-4614

**FILED**

DEC 08 2015

5 Attorneys for Jereh Lubrin  
6 MATTHEW B. PAVONE (SBN 95964)  
7 LAW OFFICE OF MATTHEW B. PAVONE  
8 Courtyard Square  
9 750 Grant Avenue, Suite 250  
10 Novato, California 94945  
11 Tel: (415) 209-9610  
12 Fax: (415) 892-0337

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk  
Superior Court of California, County of Santa Clara  
By David H. Yamasaki DEPUTY

10 Attorney for Rafael Rodriguez  
11 WILLIAM R. RAPOPORT (SBN 47086)  
12 LAW OFFICES OF WILLIAM R. RAPOPORT  
13 643 Bair Island Road, Suite 400  
14 Redwood City, California 94063  
15 Tel: (650) 340-7107  
16 Fax: (650) 365-7981

17 Attorney for Matthew Farris

18 SUPERIOR COURT OF CALIFORNIA

19 COUNTY OF SANTA CLARA

18 PEOPLE OF THE STATE OF CALIFORNIA, ) Case No.: C1519377  
19 Plaintiff, ) Department No.: 33  
20 v. ) **COVER SHEET**  
21 JEREH LUBRIN, RAFAEL RODRIGUEZ and ) [Cal. Rules of Court Rule 2.551]  
22 MATTHEW FARRIS, )  
23 Defendants. )  
24 )  
25 )

26 **TO THE CLERK OF THE ABOVE-CAPTIONED COURT:**

27 Please take notice the enclosed documents lodged **CONDITIONALLY UNDER SEAL**,  
28 subject to an application to file the records under seal. (Cal. Rules of Court 2.551 (d).) Please retain

1 but do not file the enclosed record unless so ordered by the Court. (Cal. Rules of Court Rule  
2 2.551(d).)

3 As referenced in the Application For Order To File Records Under Seal, the enclosed records  
4 filed under conditional seal include:

- 5 (1) Joint Points and Authorities in Support of Ex Parte Motion for Access and Inspection;
- 6 (2) Declaration of Judith A. Odbert in Support of Ex Parte Motion for Access and  
7 Inspection;
- 8 (3) [Proposed] Order Granting Defendants' Ex Parte Motion for Access and Inspection.

9  
10 As referenced in the Application For Order To File Records Under Seal, please take notice  
11 of the documents submitted to the court:

- 12 (1) Application for Sealing Documents on behalf of Jerah Lubrin
- 13 (2) Application for Sealing Documents on behalf of Rafael Rodriguez
- 14 (3) Application for Sealing Documents on behalf of Matthew Farris
- 15 (4) Joint Memorandum of Points and Authorities in Support of Motion to Seal Points and  
16 Authorities, Attached Declaration, and Oral Argument Transcript in Support of Ex  
17 Parte Motion for Access and Inspection
- 18 (6) [Proposed] Order to Seal
- 19 (7) Notice of Motion for Access and Inspection
- 20 (8) Joint Points and Authorities in Support of Ex Parte Motion for Access and Inspection
- 21 (9) Declaration of Judith A. Odbert in Support of Ex Parte Motion for Access and  
22 Inspection
- 23 (10) [Proposed] Order Granting Defendants' Ex Parte Motion for Access and Inspection.

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1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on NOV 13, 2015, at Sacramento, California.

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5 JUDITH A. ODBERT  
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1 JUDITH A ODBERT, ESQ. (SBN 131261)  
2 JOSHUA A. OLANDER, ESQ. (SBN 249292)  
3 MASTAGNI HOLSTEDT, APC  
4 *A Professional Corporation*  
5 1912 "I" Street  
6 Sacramento, California 95811  
7 Tel: (916) 446-4692  
8 Fax: (916) 447-4614

9 Attorneys for Jereh Lubrin

10 MATTHEW B. PAVONE (SBN 95964)  
11 LAW OFFICE OF MATTHEW B. PAVONE  
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13 750 Grant Avenue, Suite 250  
14 Novato, California 94945  
15 Tel: (415) 209-9610  
16 Fax: (415) 892 0337

17 Attorney for Rafael Rodriquez

18 WILLIAM R. RAPOPORT (SBN 47086)  
19 LAW OFFICES OF WILLIAM R. RAPOPORT  
20 643 Bair Island Road, Suit 400  
21 Redwood City, California 94063  
22 Tel: (650) 340-7107  
23 Fax: (650) 365-7981

24 Attorney for Matthew Farris

25 **SUPERIOR COURT OF CALIFORNIA**  
26 **COUNTY OF SANTA CLARA**

27 **PEOPLE OF THE STATE OF CALIFORNIA**

28 Plaintiff

v.

**JEREH LUBRIN, RAFAEL RODRIGUEZ,  
and MATTHEW FARRIS,**

Defendants

**FILED**

DEC 08 2015

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk  
Superior Court of Santa Clara County of Santa Clara  
By [Signature] DEPUTY

) Case No.: C1519377  
)  
) Department No.: 33  
)  
) **NOTICE OF JOINT EX PARTE**  
) **MOTION FOR ACCESS AND**  
) **INSPECTION**

1 TO: JEFFREY ROSEN, DISTRICT ATTORNEY FOR THE COUNTY OF SANTA CLARA AND HIS  
2 APPOINTED DEPUTY MATTHEW BRAKER, UNDERSHERIFF JOHN HIROKAWA AND COUNTY  
3 COUNSEL FOR THE COUNTY OF SANTA CLARA.


4 PLEASE TAKE NOTICE that on November 30 at 3:00 pm, or as soon thereafter as the matter  
5 may be heard, in Department number 33 of the above titled Court, the defendants, Jereh Lubrin, Rafael  
6 Rodriguez and Matthew Farris, by and through their attorneys of record, will move for an order permitting  
7 the defense to access and inspect the property located at the Santa Clara Jail located at 150 Headding  
8 Avenue in San Jose.

9 This motion will be made on the grounds that access for the purpose of inspecting, taking  
10 measurements, photographs, and videotaping this location is necessary for the preparation of a defense in  
11 this case and thus to preserve the defendant's right to due process of law and their right to compulsory  
12 process.

13 This motion will be based on this notice of motion, on the attached declaration, and  
14 memorandum of points and authorities served and filed herewith, on such supplemental memoranda of  
15 points and authorities as may hereafter be filed with the court or stated orally at the conclusion of the  
16 hearing on the motion, on all papers and records on file in this action, and on such oral and documentary  
17 evidence as may be presented at the hearing of the motion.

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19 Respectfully Submitted,

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21 Dated: NOV 13, 2015

  
22 JUDITH A. ODBERT  
23 Attorney for Jereh Lubrin  
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**PROOF OF SERVICE**

**CASE NAME:** *People v. Jereh Lubrin, Rafael Rodriguez and Matthew Farris*

**SUPERIOR COURT CASE NUMBER:** No.: C1519377

I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of eighteen years and not a party to the above-entitled action; my business address is 1912 "P" Street, Sacramento, California 95811.

On the date below, I served the following document(s):

- **Application of Sealing of Documents (Jereh Lubrin, Rafael Rodriguez and Matthew Farris)**
- **Cover Sheet**
- **Notice of Joint Ex Parte Motion for Access and Inspection**

addressed as follows:

MATT BRAKER Office of the District Attorney 70 W. Hedding St., 6 <sup>th</sup> Fl. San Jose, California 95110	UNDERSHERIFF JOHN HIROKAWA Santa Clara Sheriff's Department 55 West Younger Avenue San Jose, California 95110
OFFICE OF THE COUNTY COUNSEL 70 West Hedding Street, 9 <sup>th</sup> Floor, East Wing San Jose, California 95110	

**BY PERSONAL DELIVERY VIA MESSENGER.** On November 16, 2015 I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed above and providing them to a messenger for service.

I declare under penalty of perjury, under the laws of the state of California, that the foregoing is true and correct and executed on November 16, 2015 at Sacramento, California.

*Justine Eales*  
Justine Eales

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**DECLARATION OF MESSENGER**

**BY PERSONAL SERVICE.** I personally delivered the envelope or package received from the declarant above to the persons of the addresses listed above. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on November 16, 2015.

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

Pam Estep  
(Pam Estep)

Paul [Signature]  
(Signature of Declarant)