

18 - CR - 016431
NOT
Notice
1382649



FILED
ALAMEDA COUNTY

OCT 04 2019

CLERK OF THE SUPERIOR COURT
By Barbara Cunniff
Deputy

1 BRENDON WOODS
Public Defender
2 Lakeside Branch Office
1401 Lakeside Drive, Suite 400
3 Oakland, California 94612-4305
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4 Christina Moore
5 California State Bar No. 253034
Attorney for Defendant
6 John Cowell

7 SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
8 RENE C. DAVIDSON COURTHOUSE

9 The People of the State
of California,

10 Plaintiff,

11 v.

12 **John Cowell,**

13 Defendant.
14 _____

Dept. No. 10

No. 18-CR-016431

Hearing Date: October 10, 2019

Time: 09:00 a.m.

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16 **NOTICE OF APPLICATION AND APPLICATION TO FILE**
17 **MOTION TO SET ASIDE THE INDICTMENT UNDER SEAL**

18 TO: NANCY O'MALLEY, DISTRICT ATTORNEY OF ALAMEDA COUNTY,
19 AND THE ABOVE-ENTITLED COURT


20 PLEASE TAKE NOTICE that defendant John Cowell, through counsel, will move the
21 court for an order, pursuant to California Rule of Court 2.550, California Rule of Court 2.551, and
22 *NBC Subsidiary (KNBC-TV) v. Superior Court* (1999) 20 Cal. 4th 1178 to file the defendant's motion
23 to set aside the indictment and the motion's accompanying exhibits under seal until the completion
24 of the trial in this matter. The motion is made on the grounds that there is a reasonable likelihood
25 that making all or any part of the motion public will prejudice the defendant's rights to due process
26 and to a fair and impartial trial.

27 This motion is based upon the records of the court in this above-entitled action, this
notice of motion, the attached affidavit of Christina Moore and memorandum of points of

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1 authorities, as well as any other authorities, argument, or evidence presented when the matter is
2 heard.

3 DATED: 3rd day of Octoberber, 2019

4 Respectfully submitted,
5 BRENDON WOODS
6 PUBLIC DEFENDER

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8 Christina Moore
9 Attorney at Law

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