

SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

IN THE PEOPLE OF THE STATE CALIFORNIA VS. SCOTT LEE PETERSON

NATURE OF HEARING: ARRAIGNMENT Case # 1056770

JUDGE: A. GIROLAMI
Clerk: J. Carvalho

Bailiff: L. Sweatman
Reporter: L. Yard

Date: 12/3/03
Modesto, California

Appearances:

For the People appearing: Dave Harris, DDA.
Rick Distaso, DDA.

Defendant present with: Mark Geragos, Esq.
Pat Harris, Esq.

For the Print Media appearing: Charity Kenyon, Esq.

Case is regularly called for hearing.

The Information is filed with the Court. Attorney Mark Geragos makes a general appearance. A Copy of the Information is provided to Defense Counsel. The Defendant waives formal arraignment and reading of the Information. Defendant states his true name is Scott Lee Peterson as charged in the Information.

The Defendant entered a plea of NOT GUILTY of the crimes of Count I: Violation of Section 187 of the California Penal Code, and Count II: Violation of Section 187 of the California Penal Code, felonies.

The Defendant denies the special allegation that he acted intentionally, deliberately and with premeditation and that he committed more than one murder in the 1st or 2nd degree within the meaning of Penal Code Section 190.2(a)(3).

Jury Trial is set for January 26, 2004 at 9:30 a.m. in Department 2.

A hearing on the Prosecution's Request for a Courthouse Jury Survey and Certification of the transcripts of October 24 and the entire Preliminary Hearing are set for December 12, 2003 at 9:30 a.m. in Department 2. The Motion for the Proposed Jury Survey is to be filed by December 10, 2003 at 10:00 a.m.

Hearing on the Change of Venue is set for January 6, 2004 at 9:30 a.m. in Department 2.

The Defense will file their Motion for Change of Venue on December 12, 2003. The Prosecution shall file their Opposition by December 30, 2003 at 10:00 a.m. Further replies to the Change of Venue to be submitted by January 2, 2004 at 10:00 a.m.

People vs. Scott Lee Peterson
Case #1056770
Page Two
December 3, 2003

Hearing on the 995 PC Motion is set for January 7, 2004 at 8:30 a.m. in a department to be assigned. The Presiding Judge of the Superior Court will make the assignment by Minute Order.

Defense's 995 PC Motion to be filed by December 16, 2003 at 10:00 a.m. The Prosecution's Opposition to the 995 PC to be filed by January 2, 2004 at 10:00 a.m. Reply to be submitted by January 2, 2004 at 4:00 p.m.

After hearing arguments by Counsel and reviewing the briefs filed with the Court, the Court makes the following orders:

The Court finds there being no change of circumstances, the Modification or Vacating of the Protective Order is DENIED. Protective Order of June 12, 2003 shall remain in full force and effect.

The Print Media's request to unseal the previously sealed autopsy report, arrest and search warrant affidavits is Denied. The Court will provide written findings by Minute Order.

Request to seal the previously conditionally sealed evidence from the Preliminary Hearing (Exhibit 130, 131, dd, ee, ff and gg) is GRANTED. Evidence to remain sealed. The Court will provide written findings by way of Minute Order.

Pursuant to stipulation, the Court ordered that \$14,932.31 shall be returned to the Defendant by Friday, December 5, 2003.

After hearing arguments from Counsel, the Court ordered that the truck currently in the custody of the People to be returned to the Defendant by December 18, 2003.

Counsel advise the Court that informal discovery is still ongoing between the Prosecution and the Defense and no orders were made.

All Pretrial Motions will remain with the Superior Court in Stanislaus County in the event a Change of Venue Motion is granted.

The Defendant is remanded into the Custody of the Sheriff. No bail is set.