

SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

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

NATURE OF HEARING: FINAL DETAILS OF TRANSFERRING Case # 1056770
THIS CASE, AND CERTIFICATION OF RECORD

JUDGE: A. GIROLAMI
Clerk: J. Carvalho

Bailiff: L. Sweatman
Reporter: D. Aiello

Date: 1/23/04
Modesto, California

Appearances:

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

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

Case is regularly called for hearing.

The Court after hearing statements by Counsel on the issue of the Prosecution's 170.6 P.C. not being filed timely, matter is taken under submission.

Later, The Court orders that due to the change of circumstances and a finding of good cause, the trial date of January 26, 2004, is continued for one week to **February 2, 2004 at 9:00 a.m. in Department 2M in San Mateo Superior Court.**

The first issue to be discussed will be the timeliness of the 170.6 PC. Parties are to submit briefs on this issue that will be heard at the February 2, 2004 hearing. Defense to file their brief by Monday at 4:00 p.m. and the Prosecution shall file their response by Wednesday at 4:00 p.m. The Parties shall file all future papers with the San Mateo County Superior Court and use the same file number with a "STANCO" preface.

The Court also ordered that the parties are to confer and file by Wednesday at 4:00 p.m. a list and suggested order to be heard of all in limine matters. If the parties cannot agree separate lists are to be submitted.

The Court orders that all files, transcripts and evidence shall be transferred to the San Mateo County Superior Court forthwith.

Defense makes a request that the Defendant be allowed to have a lap top computer. The Court declines to make an order as this issue should be heard in the new venue.

The Court and the Attorneys have reviewed the transcripts of January 8, 2004, January 20, 2004 and the transcript of today's hearing. The transcripts are corrected as stated on the record.

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IT IS ORDERED: that the transcripts of January 8, 2004, January 20, 2004 and January 23, 2004 are certified.

The Court also orders that the all Protective Orders are in effect until they can be reconsidered by the new Judge.

Defendant is remanded into the Custody of the Sheriff to be transported to San Mateo County. No bail is set.