

**SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS**

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

**NATURE OF HEARING:** MOTION FOR DISCOVERY Case # 1056770  
MOTION FOR CONTINUANCE

**JUDGE:** A. GIROLAMI  
**Clerk:** J. Carvalho

**Bailiff:** L. Sweatman  
**Reporter:** D. Aiello

**Date:** 9/2/03  
**Modesto, California**

Appearances:

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

Defendant present with: Mark Geragos, Esq.  
Kirk McAllister, Esq.

Case is regularly called for hearing.

Kirk McAllister, Esq. moves for continuance due to the volume of discovery just received. Defense claims they would not be able to proceed on the Preliminary hearing on September 9, 2003.

Mark Geragos, Esq. advises the Court that due to two other trials that he is trying in the month of September he will not be able to proceed.

Counsel also advises the Court that he will be having 402 hearings as to the issues of the dog scent-tracking, hypnotized witness, GPS tracking and mitochondria DNA testing.

After hearing statements by defense counsel, Court finds good cause to continue.

Briefing on the 402 hearings shall be submitted by October 6, 2003 and responses by October 13, 2003.

Defendant waives time.

September 9, 2003 is vacated.

Preliminary Hearing is set for October 20, 2003 at 9:30 a.m. in Department 2.

Tentative preliminary hearing pretrial is set for October 17, 8:30 a.m. in Department 2.

The Court and the attorneys have reviewed the transcript of the August 14, 2003. The transcript of corrected as stated on the record.

**IT IS ORDERED** that the transcript of August 14, 2003 is certified.

The defendant is remanded into the custody of the Sheriff. No bail is set.