

SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

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

NATURE OF HEARING: 12th DAY OF PRELIMINARY HEARING Case # 1056770

JUDGE: A. GIROLAMI

Bailiff: L. Sweatman

Date: 11/18/03

Clerk: J. Carvalho

Reporter: L. Yard
J. Webber

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 preliminary hearing.

The following witnesses are sworn and testify for the People:
Investigator Steven Jacobson and Detective Jon Buehler.

People's exhibit 142, 143, 144, 145, 146, 147, 148, and 149 offered for identification and received into evidence. 149a offered for identification only.

People rest.

IT IS ORDERED that a felony has been committed and that there is sufficient cause to believe that SCOTT LEE PETERSON GUILTY thereof, it is ordered that he be held to answer for the following:

Count I: Section 187 of the California Penal Code, a felony, with the allegation, that the defendant acted intentionally, deliberately and with premeditation.

Also that in the commission of the murder of Laci Denise Peterson, the defendant, with the knowledge that Laci Denise Peterson was pregnant, did inflict injury resulting in the termination of her pregnancy, a violation of Section 12022.9 (a) of the California Penal Code.

Count II: Section 187 of the California Penal Code, a felony, with the allegation, that the defendant acted intentionally, deliberately and with premeditation.

Also, as to Counts I and II, MURDER, the defendant committed more than one murder in the 1st or 2nd degree in this proceeding, a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

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Attorney Mark Geragos states that he will be filing a 995 PC motion and the Court informs Counsel that the Presiding Judge would appoint a different Judge solely for any such motion.

The Court requested that, if a Change of Venue Motion is to be made, the parties are to comment on the feasibility of utilizing a San Joaquin County jury.

Further hearing is set for December 3, 2003 at 8:30 a.m. in Department 2 for Arraignment and setting of trial, Certification of Transcripts, Setting of Pretrial Motions, Sealing of items 130, 131, dd, ee, ff, and gg in evidence, Reconsideration of the Protective Order and Release of Personal Property.

The Protective Order previously ordered remains in effect until further consideration at the Arraignment.

Defendant is remanded into the custody of the Sheriff. No bail set.