

SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

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

NATURE OF HEARING: FILING OF CHANGE OF VENUE MOTION Case # 1056770
REQUEST FOR NAMES AND ADDRESSES OF 2003 JURORS
ADDITIONAL PRETRIAL MOTIONS AND CERTIFICATION
OF THE TRANSCRIPTS

JUDGE: A. GIROLAMI
Clerk: J. Carvalho

Bailiff: L. Sweatman
Reporter: L. Yard

Date: 12/12/03
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.

Mark Geragos, Esq. informs the Court that he needs a few days to file the Defense's Motion for Change of Venue. The Court allowed the parties to submit their Points and Authority not to exceed 20 pages plus attachments.

After hearing statements by Counsel, **IT IS ORDERED:** Defense will file their Motion for Change of Venue on December 15, 2003 by 9:00 a.m. Prosecution shall file their Opposition by January 2, 2004 at 2:00 p.m. Reply to be submitted on January 6, 2004 at 10:00 a.m.

Change of Venue Hearing of January 6, 2004 is vacated. Change of Venue Hearing continued to **January 8, 2004 at 9:30 a.m. in Department 2.**

After hearing arguments by counsel and reviewing the briefs filed with the Court, **IT IS ORDERED** that Prosecution's Motion to Conduct Venue Survey on the 2003 Jury List is granted with a protective order as stated on the record. The Prosecution and the Defense will be allowed to obtain up to 1000 names from the 2003 jury list.

After the Prosecution requested a delay of the turn over date, it was denied. The previous order of December 5, 2003 that the truck currently in the custody of the People to be returned to the Defendant by December 18, 2003 shall remain in effect. If the Parties wish to negotiate a sale, they may do so without Court involvement.

The Court and the Attorneys have reviewed the transcripts of October 24, 2003, December 3, 2003 and the entire Preliminary Hearing. The transcripts are corrected as stated on the record.

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IT IS ORDERED: that the transcripts of October 24, 2003, December 3, 2003 and the entire Preliminary Hearing are certified.

Subpoenaed records from Echostar Corporation have been received under section 1560, IT IS HEREBY STIPULATED that the Clerk of the Court may open and permit all parties to inspect records. Subpoenaed records are delivered to the District Attorney for copying and distribution to Opposing Counsel.

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