

SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

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

NATURE OF HEARING: ELEVENTH DAY OF PRELIMINARY HEARING Case # 1056770

JUDGE: A. GIROLAMI
Clerk: J. Carvalho

Bailiff: L. Sweatman
Reporter: L. Yard
J. Webber

Date: 11/17/03
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 preliminary hearing.

The Court finds that the mitochondrial DNA evidence presented does pass Kelly including the statistical probability determination based on the Caucasian database. The Court will not consider the reference to the Hispanic database as it is not relevant. A written findings and order on the mitochondrial DNA be will submitted later.

Attorney Mark Geragos states that the Defendant waives his appearance while Dr. Brian Lee Peterson testifies. The Defendant is advised of his right to be present at all proceedings. The Defendant waives this right.

The following witnesses are sworn and testify for the People: Dr. Brian Lee Peterson, Detective Dodge Hendee and Detective Kirk Stockham.

Defense exhibits dd, ee, ff, gg, hh, ii and jj are offered for identification and received into evidence. People's exhibit 140 and 141 are offered for identification and received into evidence. All Defense and People's exhibits are received into evidence. Exhibit 130, 131, dd, ee, ff and gg are received but are conditionally sealed pursuant to RC 243.1.

Further Preliminary Hearing is set for **November 18, 2003 at 9:00 a.m. in Department 2.**

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