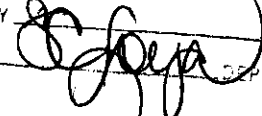


FILED

03 OCT 15 AM 11:22

CLERK OF THE SUPERIOR COURT  
COUNTY OF STANISLAUS

BY  DEPUTY

1 JAMES C. BRAZELTON  
2 District Attorney  
3 Stanislaus County  
4 Courthouse  
5 Modesto, California  
6 Telephone: 525-5550

7 Attorney for Plaintiff

8 STANISLAUS COUNTY SUPERIOR COURT

9 STATE OF CALIFORNIA

-----o0o-----

10 D.A. No.1056770

11 THE PEOPLE OF THE STATE OF CALIFORNIA )

No.1056770

12 Plaintiff, )

PEOPLE'S RESPONSE

TO DEFENSE MOTION

FOR WITNESS EXCLUSION

13 vs. )

Hrg: 10-20-03

Time: 8:30 am

Dept: 2

14 SCOTT LEE PETERSON, )

15 Defendant. )

16 -----o0o-----

17 Comes now the People of the State of California to  
18 submit the following:  
19

20 The People will not introduce evidence from witness Kristen  
21 Dempewolf at the preliminary hearing. The People expressly  
22 reserve the right to litigate this issue at a later date. The  
23 People do intend to introduce testimony from Ms. Dempewolf at the  
24 jury trial.

25 The People note that any defense objection to the testimony  
26 of Ms. Dempewolf regarding hypnosis must also extend to the  
27 testimony of Ms. Diane Jackson as she also underwent hypnosis  
28 during subsequent police interviews.

1 Dated: October 15, 2003

2 Respectfully submitted,

3 JAMES C. BRAZELTON  
4 District Attorney

5 

6 RICK DISTASO  
7 Deputy District Attorney

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AFFIDAVIT OF SERVICE BY MAIL (C.C.P 1013a)

STATE OF CALIFORNIA )  
(  
COUNTY OF STANISLAUS )

I, the undersigned, say:

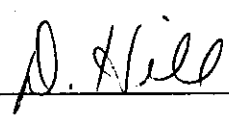
That I am a citizen of the United States, over 18 years of age, a resident of Stanislaus County, and not a party to the within action.

That affiant's business address is Stanislaus County Courthouse, Modesto, California.

That affiant served a copy of the attached PEOPLE'S RESPONSE TO DEFENSE MOTION FOR WITNESS EXCLUSION by placing said copy in an envelope addressed to MARK GERAGOS, GERAGOS & GERAGOS, 350 SOUTH GRAND AVENUE, 39<sup>TH</sup> FLOOR, LOS ANGELES, CA, 90071-3480, which envelope was then sealed and postage fully prepaid thereon, and thereafter was on October 15, 2003, delivered by FEDEX at Modesto, California. That there is delivery service by FEDEX at the place so addressed, or regular communication by FEDEX between the place of mailing and the place addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of October, 2003, at Modesto, California.

  
\_\_\_\_\_

People v. PETERSON  
D.A. No. 1056770  
Court No. 1056770  
dmh

DECLARATION OF PERSONAL SERVICE

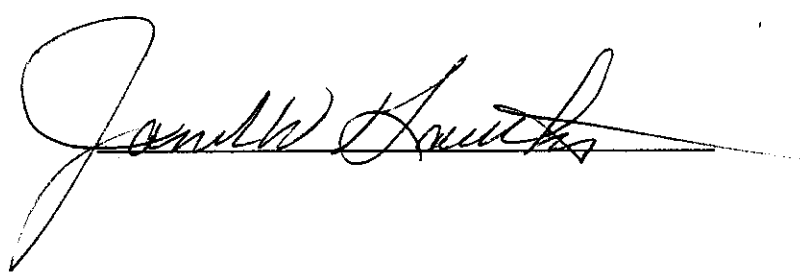
I, the undersigned, say:

I was at the time of service of the attached PEOPLE'S RESPONSE TO DEFENSE MOTION FOR WITNESS EXCLUSION over the age of eighteen years and not a party to the above-entitled action. I served a copy of the above-entitled document(s) on the 15 day of October, 2003, delivering a copy thereof to the office(s) of:

Kirk W. McAllister  
McAllister & McAllister  
1012 11<sup>th</sup> Street, Suite 100  
Modesto, California 95354

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15 day of October, 2003, at Modesto, California.



People v. PETERSON

D.A. No. 1056770

Court No. 1056770

dmh