Witness: Amie Rachel Krigbaum

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Proceedings held June 9, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

Court: San Mateo County Superior Court, Redwood City (People v. Scott Peterson)

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Direct Examination by Rick Distaso

JUDGE: Amie Krigbaum, correct? This is the one that's going to take a while?

CLERK: Raise your right hand. Do you solemnly state that the evidence you shall give in this matter shall be the truth, the whole truth and nothing but the truth, so help you God?

KRIGBAUM: I do.

CLERK: Be seated. State and spell your name for the record.

KRIGBAUM: Amie, A-M-I-E, Rachel, R-A-C-H-E-L, Krigbaum, K-R-I-G-B-A-U-M.

CLERK: Thank you.

JUDGE: Want to get a little closer to the microphone?

KRIGBAUM: It's a short seat.

JUDGE: That's good.

KRIGBAUM: All right.

JUDGE: Just talk loud.

KRIGBAUM: All right.

JUDGE: Go ahead, Mr. Distaso.

DISTASO: Just give me one second, your Honor.

DISTASO:. You, we heard you state your full name and spell your last name. Where, where do you live?

KRIGBAUM: Oh,

DISTASO: Let me stop you. I don't want to give your address out to everybody. You live on Covena Avenue in Modesto?

KRIGBAUM: I do.

DISTASO: No, just mark them separate.

JUDGE: Next in order?

DISTASO: Yes, your Honor.

JUDGE: 31 and 32.

DISTASO: 31 and 32. They will be photographs looking towards the Peterson residence.

JUDGE: Okay.

DISTASO:. And do you live across the street from 523 Covena?

KRIGBAUM: Yes.

DISTASO: Okay. And did you live there on December 24th of 2002?

KRIGBAUM: Yes.

DISTASO:. The, there's a diagram behind you of People's 12. And do you recognize that as a schematic of 523 Covena? Covena Avenue is down here, here's the lawn and where the house would be.

KRIGBAUM: Oh, the front of their house.

DISTASO: Karen Servas would be over here?

KRIGBAUM: Yes.

DISTASO: Can you just write, just so the jury is clear where we're talking about, you live across the street, which would be on the other side of Covena, right?

KRIGBAUM: Yes.

DISTASO: Just write,

KRIGBAUM: Fairly offset, like right here.

DISTASO: Yeah. Can you just write your last name, Krigbaum home?

KRIGBAUM: (writes on diagram)

DISTASO: I hope I got the right picture from the Medinas, but let me ask you: People's 31, would that be a picture kind of looking from your home towards the Peterson home?

KRIGBAUM: Yes.

DISTASO: Okay.

KRIGBAUM: That's my porch.

DISTASO: And this, these are, like, your bushes,

KRIGBAUM: Yeah.

DISTASO: on the front here?

KRIGBAUM: That would be from my front porch, actually.

DISTASO: Okay. This is People's 31.

JUDGE: Okay.

DISTASO:. There we go. And so this would be a view looking from your front porch towards the Peterson residence?

KRIGBAUM: Yes.

DISTASO: And just real quickly, when did you move into that house?

KRIGBAUM: I believe it was January 2001.

DISTASO: And you've lived there, I mean to this day?

KRIGBAUM: Yes.

DISTASO: Okay. What, on December 24th of 2002, were you home that day?

KRIGBAUM: Yes. In the morning, we left for a while, but we were home.

DISTASO: Okay; we'll get there. Let me kind of take you through the whole day.

KRIGBAUM: Okay.

DISTASO: At the time that, that you were there, let me turn a little light on here for this thing. At the time, during the time, I'm sorry. On December 24th, who were you working for?

KRIGBAUM: I was working for Sieman's Building Technologies.

DISTASO: Okay. And did you drive a van?

KRIGBAUM: Yes.

DISTASO: Did you have a work van?

KRIGBAUM: Yeah, a white Sieman's van.

DISTASO: And it was, you said a white van. Was it a full sized van or minivan?

KRIGBAUM: It was an Astrovan.

DISTASO: Astrovan. Do you remember what, the year it was?

KRIGBAUM: It was brand new. I just had it, I probably just got it a few months. I had had a replacement van, so...

DISTASO: So probably 2002?

KRIGBAUM: Probably, yes.

DISTASO: And where did you park the van?

KRIGBAUM: I parked it, you could see the edge of the garbage cans right there. If my van were parked you wouldn't be able to see the garbage cans. There's a Black Walnut tree,

DISTASO: Hold on a second.

KRIGBAUM: on this side.

DISTASO: Try not to shoot the clerk in the eyes. But basically it would be right there?

KRIGBAUM: Up a little bit further on my side of the street.

DISTASO: Okay. So, so would it be off the picture then?

KRIGBAUM: No. You would probably see the tail end of it right equal with the garbage can.

DISTASO: Right, right here?

KRIGBAUM: Yeah.

DISTASO: Okay. Can you, is that where you would park it regularly?

KRIGBAUM: Yes.

DISTASO: Do you remember if that's where it was parked on December 24th, 2002?

KRIGBAUM: Yes.

DISTASO: Can you, let me pull this off here for just a second. Can you just take one of these pens and just write right on the picture, just write, write the word "van" where the van would be.

KRIGBAUM: All right.

DISTASO: Okay. And, actually, can you write your last name under there, Krigbaum?

KRIGBAUM: (writes on picture)

DISTASO: Thanks.

KRIGBAUM: Uh-huh.

DISTASO: Now, what time did you wake up on the 24th?

KRIGBAUM: Between 10:30, 10:38. I remember saying 10:38, but my alarm clock could have been set five minutes fast. We did that every so often, so I can't remember exactly, but 10:30-ish.

DISTASO: Would it be a fair estimate to say sometime between 10:30 and 10:40?

KRIGBAUM: Yes.

DISTASO: And who was home with you?

KRIGBAUM: Myself and Terra and Michael.

DISTASO: And Terra is your significant other?

KRIGBAUM: Yes.

DISTASO: And what's her last name?

KRIGBAUM: Venable, V-E-N-A-B-L-E.

DISTASO: And Michael is?

KRIGBAUM: Her son.

DISTASO: Her son. Okay. What, so you got up, you all three were home, and was it just a normal, you know, Christmas Eve day?

KRIGBAUM: It seemed quiet.

GERAGOS: Objection. Speculation.

JUDGE: I didn't hear the answer. What was the question again?

GERAGOS: Was it a normal Christmas Eve day.

JUDGE: Yeah. It's argumentative. Sustained.

DISTASO:. Okay. What, just tell me what you did then. You guys got up?

KRIGBAUM: We got up, took the dog in the front yard to go to the restroom and made breakfast and got ready to go shopping.

DISTASO: Okay. When you took the dog in the front yard, did, did you walk outside with the dog?

KRIGBAUM: I just walked to the porch, and she goes right over the planter box, right there, there's like a little hole in the bushes.

DISTASO: What kind of dog is it?

KRIGBAUM: She's a red-nosed pit bull.

DISTASO: Okay. And so basically we would be, where we're standing on your porch, looking at this picture, would basically be kind of where you were standing when the dog went out to do its business?

KRIGBAUM: Exactly.

DISTASO: And did you do that first thing when you got up?

KRIGBAUM: Yes.

DISTASO: And I mean within minutes?

KRIGBAUM: Probably within minutes, because she had probably been holding herself all night, so I get up, it's routine; just get up and take her out.

DISTASO: Okay. So you were outside. Did you see anything going on on the street?

KRIGBAUM: I saw nothing going on. It seemed abnormally quiet in the neighborhood that day, so...

DISTASO: So you didn't see any people around?

KRIGBAUM: No.

DISTASO: You didn't see Karen Servas?

KRIGBAUM: Uh-huh. I didn't see any neighbors.

DISTASO: And you know who Karen Servas is?

KRIGBAUM: Yes, I do.

DISTASO: The neighbor across the street?

KRIGBAUM: Uh-huh.

DISTASO: Were you guys home the rest, you said you left at some point, so you were home until when? When did you leave the house?

KRIGBAUM: 12:30 or 1:00 we left.

DISTASO: Where did you go?

KRIGBAUM: We went shopping. We went numerous places.

DISTASO: Did all three of you leave?

KRIGBAUM: No, Michael stayed.

DISTASO: How old is Michael now?

KRIGBAUM: He is going to be 14 in July.

DISTASO: So he would have been around twelve, I guess, eleven or twelve?

KRIGBAUM: Yeah, eleven or twelve.

DISTASO: And so you and Terra left and went shopping. At the time you were doing this, were you keeping a stopwatch of the exact amount of time you were gone?

KRIGBAUM: No.

DISTASO: Okay. So can you give me some guesstimate how long you were gone?

KRIGBAUM: Well, the last receipt we had checked was Blockbuster, and that had a time stamp on it, and that was 1542. And that was on McHenry Blockbuster.

DISTASO: Okay.

KRIGBAUM: And then we went to Save-Mart, and we only had to get canning jars at Save-Mart, and then we went straight home.

DISTASO: Okay. So 1542 would be 3:42?

KRIGBAUM: Yes.

DISTASO: And you say you went from there, to Blockbuster, to Save-Mart?

KRIGBAUM: Yep.

DISTASO: And these folks don't have any idea about McHenry or Modesto.

KRIGBAUM: Right.

DISTASO: So maybe we can give them some idea

KRIGBAUM: All right.

DISTASO: McHenry is kind of a main street in Modesto?

KRIGBAUM: Uh-huh.

DISTASO: And it has, you know, stores and what not on it. And so you went down McHenry. How far, just give me a guess in your mind how far is it from where, you know, McHenry Blockbuster to the Save-Mart you went to downtown?

KRIGBAUM: Maybe like seven to ten minutes, maximum. Traffic, maybe ten minutes.

DISTASO: Okay. All right. So about seven to ten minutes driving time?

KRIGBAUM: Probably.

DISTASO: You got to Save-Mart. And that's the one downtown?

KRIGBAUM: H Street, uh-huh.

DISTASO: And the H Street downtown Save-Mart is kind of in the vicinity of your home?

KRIGBAUM: Uh-huh.

DISTASO: All right. And so you were there. What did you buy there?

KRIGBAUM: Canning jars.

DISTASO: Canning?

KRIGBAUM: Uh-huh.

DISTASO: Okay. All right. And then Terra was with you?

KRIGBAUM: Yes.

DISTASO: And that's all you bought?

KRIGBAUM: Yeah. That was the only thing Safeway didn't have that we needed, so...

DISTASO: And then you went where?

KRIGBAUM: We went home.

DISTASO: And so you got home. How long do you think you were in the store?

KRIGBAUM: I don't know. Maybe ten minutes? I don't know.

DISTASO: Okay.

KRIGBAUM: Ten, 15 minutes. I don't know.

DISTASO: Right. And, again, you're just estimating as best you can?

KRIGBAUM: Yes.

DISTASO: Okay. So then you went home. And what were you doing?

KRIGBAUM: We were putting groceries away, and I was actually draining my fruit for fruit salad.

DISTASO: And were you planning on having family over for dinner that evening?

KRIGBAUM: Yes.

DISTASO: Okay. Just real briefly, who was coming over?

KRIGBAUM: My mom and my dad. My Uncle Brian was coming over. Just whoever kind of showed up.

DISTASO: Just family?

KRIGBAUM: My family's not, like, pretty punctual, so they get an invite. If they come, that's great. Except my dad. My dad's punctual.

DISTASO: All right. And so then you're getting this thing ready. At some point, at some point did you have a contact with Scott Peterson?

KRIGBAUM: That was later in the evening, because I had to go back to the store because I didn't have marshmallows.

DISTASO: Okay. Let me, let's go through that, then. Up to this point in the day had you seen Scott Peterson at all?

KRIGBAUM: No.

DISTASO: And you recognize Mr. Peterson as he sits here in court, right?

KRIGBAUM: Uh-huh.

DISTASO: All right. And your, you knew, you and Terra knew Laci and the defendant just, you know, as normal kind of neighbor things?

KRIGBAUM: Yes.

DISTASO: You know, they go by, you wave, that kind of thing?

KRIGBAUM: Yeah.

DISTASO: Had you ever been inside their home?

KRIGBAUM: No.

DISTASO: Had they ever been, to your knowledge ever been inside your home?

KRIGBAUM: No.

DISTASO: Up to this point in the day had you seen Laci Peterson?

KRIGBAUM: No.

DISTASO: Had you seen Scott Peterson?

KRIGBAUM: No.

DISTASO: When you got up in the morning was, are you familiar with what Laci Peterson's car looked like?

KRIGBAUM: Uh-huh.

DISTASO: What kind of car was it?

KRIGBAUM: Land Rover.

DISTASO: Okay. Did you see her car when you woke up, parked in the driveway?

KRIGBAUM: Yeah, it was there.

DISTASO: All right. When you got up did you see Scott Peterson's car?

KRIGBAUM: I didn't see Scott's truck, no.

DISTASO: And when you came back, when you had been out to the store and then come back, do you remember seeing Laci's car?

KRIGBAUM: It was there. Uh-huh. When I came back from the store from, by myself, when I went to Save-Mart, his truck was there when I got back.

DISTASO: Okay. Right. But, we're still at the point where you and Terra were coming back from Save-Mart right downtown.

KRIGBAUM: Uh-huh.

DISTASO: When you came back from that first time you went, you saw Laci's car?

KRIGBAUM: Uh-huh.

DISTASO: Did you see the defendant's car?

KRIGBAUM: No.

DISTASO: Okay. You get back, you said you were doing whatever you need to do, fruit salad. And then you realized what?

KRIGBAUM: The Christmas lights came on.

DISTASO: Okay. Did the Christmas lights come on before you left for the store again?

KRIGBAUM: Yeah.

DISTASO: Okay. And whose Christmas lights?

KRIGBAUM: They were Scott and Laci's Christmas lights.

DISTASO: Could you see, from your house, their house?

KRIGBAUM: Yeah.

DISTASO: Okay. I mean from the window?

KRIGBAUM: Oh, yeah.

DISTASO: All right. I mean your kitchen window?

KRIGBAUM: Oh, yeah.

DISTASO: Okay. You said the Christmas lights came on?

KRIGBAUM: Yes.

DISTASO: And then what happened? What's the next thing you did?

KRIGBAUM: I went back to the store to get marshmallows.

DISTASO: You were by yourself?

KRIGBAUM: Yes.

DISTASO: You went to the store. Did you have any idea, again, give me a guess how long you were there?

KRIGBAUM: I don't know, maybe 20 minutes, probably, total to get there, I guess. Get there, get it, and come back.

DISTASO: Okay. Go down, get the marshmallows, pay for them, come back?

KRIGBAUM: Yeah.

DISTASO: 20 minutes go by, and then you come back to your home?

KRIGBAUM: Uh-huh.

DISTASO: And then what did you see?

KRIGBAUM: His truck was there.

DISTASO: Okay.

KRIGBAUM: Backed in.

DISTASO: And you are familiar with his truck?

KRIGBAUM: Yes.

DISTASO: And you said it was backed in?

KRIGBAUM: Uh-huh.

DISTASO: Then what happened next? What did you do? When you went in the house, what happened?

KRIGBAUM: We just finished cooking.

DISTASO: And at some point did you speak to Scott Peterson that night?

KRIGBAUM: When he came over to my house and asked me if we had seen Laci.

DISTASO: Okay. What did you tell him?

KRIGBAUM: No, we had not seen Laci, and we hadn't seen any movement from the house at all; just her truck was there. The only movement I had seen was the Christmas lights come on; you know, that was like evening time, so

DISTASO: Okay. Were the Christmas lights still on at that point; do you remember?

KRIGBAUM: I'm pretty sure they were on, you know, I'm not sure exactly. When he came to the door?

DISTASO: Uh-uh.

KRIGBAUM: Yeah, I'm not positive about that, so

DISTASO: Okay. So he came to the door, asked you if you saw Laci. What happened next?

KRIGBAUM: I had told him no, and he, he had told me, he told me he was golfing all day and he had tried to phone her, and I said that we hadn't seen her, we hadn't seen any movement, we thought they were out of town because the house had not moved at all, and we just thought the neighborhood was weird because it was so silent. We just figured everybody was out of town but us.

DISTASO: Okay.

KRIGBAUM: And then,

DISTASO: Hold on, let me stop you. So he comes to the door, says Have you seen Laci?

KRIGBAUM: Uh-huh.

DISTASO: You said No, we haven't seen her. And then you asked him Well, where have you been? Or what was kind of going on with that?

KRIGBAUM: You know, I don't really know how the conversation went, verbatim. I just remember him telling me, you know, that he tried to call her all day and that he was golfing.

DISTASO: Uh-huh.

KRIGBAUM: So I mean he, he was distraught; it kind of made me a little distraught, so I didn't really know how to handle the situation, so

DISTASO: Okay.

KRIGBAUM: I just kind of took bits and pieces of it and didn't really know what to do. I shut the door and kind of asked Terra, Help him look, or, you know?

DISTASO: Okay. And then what, and then what did you guys end up doing?

KRIGBAUM: I ended up,

DISTASO: I'm sorry, before we do that. So he, he told you I've been golfing, I was trying to call Laci?

KRIGBAUM: Uh-huh.

DISTASO: You said No, we haven't seen her?

KRIGBAUM: Uh-huh.

DISTASO: And then what happened? Where did he go?

KRIGBAUM: He took off over the planter box and went to the right, and I ended up shutting the door.

DISTASO: Okay. So he went over your planter box, went to the right?

KRIGBAUM: Yeah.

DISTASO: Which would have been, I guess, kind of towards where the trail would be?

KRIGBAUM: Right.

DISTASO: On the street?

KRIGBAUM: Right.

DISTASO: And then you didn't see where he went after that?

KRIGBAUM: Well, I shut the door, and then my dad had pulled up I think the second time I had opened the door, because I had to get my shoes on and stuff, and I was talking to Michael and Terra about the situation.

DISTASO: Uh-huh.

KRIGBAUM: So I shut the door and ended up, I don't know if I got my shoes on or what, but when I opened the door the second time, I remember seeing him coming out of the house, going towards Karen's with the dog. So I don't know what the time length was. There were a few times like I shut the door, went outside, talked to him on the front of the lawn. It was just so mumble-jumble together, because my adrenalin was going.

DISTASO: Okay.

KRIGBAUM: I don't know the sequence exactly, so

DISTASO: Right. The first time you came to the door was the time he said he was golfing?

KRIGBAUM: Yes.

DISTASO: And you kind of kept going in and out, trying to figure out what you should do to help?

KRIGBAUM: Yeah.

DISTASO: Is that,

KRIGBAUM: Yeah.

DISTASO: kind of what happened?

KRIGBAUM: Yeah. Exactly. So, and then my dad showed up, and I walked my dad in the house, and so,

DISTASO: Okay. And then did you end up kind of, yeah, helping out with the situation in the sense that, you know, you went down and you and Terra went and looked and kind of searched a little bit and, you know, you just did things with people?

KRIGBAUM: Right. Well, my dad followed, I walked down that way to see if I could help him, because when I went outside I was like Did you call the police, you know, because he was walking to Karen's, and I was, like, shouting questions across the way, you know, Did you check the pool, did you check the car. Just things that I would do, you know.

DISTASO: Right.

KRIGBAUM: So, anyway, I don't know, I don't know if my dad pulled up at that time. I can't exactly see the scenario. I wish I would have written it down exactly. But my dad and I ended up walking towards the park to try to find him, because he had walked that way, like, the second time. And so I walked down the trail and I realized there was nothing down there, and my dad

really couldn't keep up because his feet are not that great. So I walked back up, because I was kind of freaked out, so I got my dad, we got in the car, and we went down to the tennis courts.

DISTASO: Okay. And the trail, when you went down to the bottom of the trail, your dad is elderly?

KRIGBAUM: Well, no, he just doesn't have very good circulation in his feet. He's got, like, back problems and stuff.

DISTASO: Okay. So going down that trail would have been difficult for him.

KRIGBAUM: Yeah. He could do it, he's just not that fast at walking. He can't walk long distances; otherwise he could walk okay.

DISTASO: Okay. So you go down the trail, it's dark in the park; is that true?

KRIGBAUM: Yes. Very dark.

DISTASO: And then you came back out?

KRIGBAUM: Yeah.

DISTASO: And then, and as the evening progressed, more and more people came and,

KRIGBAUM: Yeah.

DISTASO: police came?

KRIGBAUM: Yeah. We all met at the park. Like I saw Sharon Rocha at the park when I was with my dad, and she needed a flashlight, so we ended up giving her a flashlight. I came back up, dropped my dad off, got Terra and we came down and helped the whole search aspect of it.

DISTASO: Okay. And then when did people finally leave your house or, you know, when things kind of calmed down? Do you have any idea what time it was?

KRIGBAUM: People leaving my house, meaning like,

DISTASO: Well, were people coming over and getting things from you? Or no?

KRIGBAUM: Well, like Laci's family and friends and stuff?

DISTASO: Uh-huh.

KRIGBAUM: Well, they were coming over and using my restroom pretty much throughout. We didn't really get to sit down and eat dinner. We kind of stood up and ate dinner. We were pretty shook up, so we said they could use our bathroom. I ended up taking some coffee over there, and taking some bottled water. So they weren't necessarily staying at my house. They were in their front yard, kind of like staging out there.

DISTASO: Okay.

KRIGBAUM: I just opened the house up if they needed anything, you know.

DISTASO: All right. Hold on a second.

DISTASO:. Are you a little nervous sitting here today?

KRIGBAUM: Yeah.

DISTASO: All right. It's kind of hard to testify in front of, you know, millions of people and the whole bit.

KRIGBAUM: Yeah.

DISTASO: Let me just ask you a couple more questions about your van. Did the van stay parked in front of the house all day?

KRIGBAUM: Yes.

DISTASO: When you took these trips to the store, did you take your van?

KRIGBAUM: No, I took the Trail Blazer.

DISTASO: I don't have anything further, your Honor.

Cross Examination by Mark Geragos

JUDGE: Okay. Mr. Geragos.

GERAGOS: Yes.

GERAGOS: Good afternoon, Amie. How are you?

KRIGBAUM: Fine. How are you?

GERAGOS: Good. Did she warn you that you can't talk fast?

KRIGBAUM: Yeah. I'll try to slow it down. Getting my mouth dry from talking so much, too.

GERAGOS: I remember from the prelim, that's why I'm warning you in advance. So I'll talk slow if you talk slow.

KRIGBAUM: Okay.

GERAGOS: The, if I remember correctly, that Sieman's van is, at the time was a brand new van?

KRIGBAUM: Brand new van.

GERAGOS: And it's one of those, the Astro van, which is not the big one, it's the down-sized or mid-sized, I guess is what they call it?

KRIGBAUM: Correct.

GERAGOS: And it's got Sieman's written in pretty big letters on the side?

KRIGBAUM: It's all the way around.

GERAGOS: Yeah.

KRIGBAUM: Front, sides and back.

GERAGOS: Yeah.

KRIGBAUM: Neon green.

GERAGOS: Exactly. It's very difficult to miss that van if that's the van you're seeing, isn't it?

KRIGBAUM: Exactly.

GERAGOS: Now, the, you woke up, I'm going to go back to the preliminary hearing.

KRIGBAUM: Okay.

GERAGOS: And you woke up at about, you said then specifically 10:38?

KRIGBAUM: Yeah, 10:38. But I don't know if my clock was five minutes fast.

GERAGOS: Okay.

KRIGBAUM: I work for Sieman's, so...and I don't have control of the clock. It's on her side of the bed, so...

GERAGOS: Okay. And you remember looking at the clock because I asked you at the time,

KRIGBAUM: Yes, 10:38, because I looked at the time.

GERAGOS: You remember that it was 10:38 because it's a digital clock. You woke up, and it was because there was a dog barking, right.

KRIGBAUM: Yes.

GERAGOS: Okay. And it was a, I guess there's a couple, you kind of become a connoisseur of the dog barks in the neighborhood, right?

KRIGBAUM: Yes.

GERAGOS: Okay. You recognize which dog is barking by having heard it before, right?

KRIGBAUM: Yes.

GERAGOS: And if I understand correctly, that morning you were wakened by this dog barking and it was not a familiar bark, right?

KRIGBAUM: Well, there were two. One was very familiar, Sage, and then another one that wasn't so familiar, yes.

GERAGOS: Okay. And is it, do I understand correctly from your previous testimony that it was later, when the police were towing Laci's Land Rover, and I guess it would have been, is this on? MR. DISTASO: No, actually.

GERAGOS: When they were towing the Land Rover from this, this is where it was parked, correct?

KRIGBAUM: In the driveway.

GERAGOS: Yeah.

KRIGBAUM: Yeah.

GERAGOS: Right in there?

KRIGBAUM: Uh-huh.

GERAGOS: Okay. And when they towed, this is a couple days later?

KRIGBAUM: Uh-huh.

GERAGOS: When they towed the Land Rover, you then clicked and recognized the bark?

KRIGBAUM: Uh-huh.

GERAGOS: Is that, you have to say yes.

KRIGBAUM: Yes. Yes.

GERAGOS: And can you tell me what bark, who was barking?

KRIGBAUM: Oh, we, it sounded familiar, like McKenzie. So we didn't hear that dog bark like that very often, so...

GERAGOS: Okay. Now, when, at 10:38 you heard both, not, I understand you didn't, you didn't call Time to figure out if it was 10:38 or not, however, you heard Sage, which is the dog that's in the house to your right?

KRIGBAUM: Uh-huh, correct.

GERAGOS: Okay. And then you also heard this other dog barking, and it went on for a little while, correct?

KRIGBAUM: Maybe a few minutes.

GERAGOS: Okay. Then at some point after that you get up and you let your dog out, correct?

KRIGBAUM: Yes.

GERAGOS: Okay. You didn't go much off the porch?

KRIGBAUM: No.

GERAGOS: Did I understand that correctly?

KRIGBAUM: Correct.

GERAGOS: You just kind of opened the door because you haven't really woken, awakened yet and let the dog out?

KRIGBAUM: Yeah. I go stand on the porch exactly where that picture is. Those are, that is on my landing of my porch.

GERAGOS: Okay. The dog goes out, does his business, comes back?

KRIGBAUM: Yes.

GERAGOS: Now, when you, you went shopping that day and you left Michael home?

KRIGBAUM: Yes.

GERAGOS: And you left the house at approximately what time?

KRIGBAUM: 12:30 or 1:00.

GERAGOS: Okay. And you said the neighborhood was unusually quiet?

KRIGBAUM: Yes.

GERAGOS: Okay. And when you left at 12:30 or 1:00, were the Christmas lights on at the Covena house?

KRIGBAUM: No.

GERAGOS: You would have noticed that, I would assume?

KRIGBAUM: Yes.

GERAGOS: Now, when you came back the first time, from going to the shop, you said you were at the store roughly 3:42, so you would have been back home 4:00-ish?

KRIGBAUM: Well, we were at Blockbuster at 3:42 because that's the last receipt time stamp that I had, and then we went to Save-Mart, and then we came home.

GERAGOS: What time,

KRIGBAUM: 4:15-ish is when we got home, I would imagine.

GERAGOS: Okay. When you got home, did you happen to, did you happen to notice, well, at that point Scott's truck was not there?

KRIGBAUM: 4:15, no, it was not. It was the second time I came home.

GERAGOS: All right. So 4:15-ish whatever that was when you came home, you're not sure, but clearly his, his truck was not home the first time you came home?

KRIGBAUM: Correct.

GERAGOS: And when you came home, were the Christmas lights on or off?

KRIGBAUM: I didn't notice them on until after we were home for a couple minutes, and then I noticed them on. So it was between that time that I had left, so

GERAGOS: Some time after 12:30 or 1:00?

KRIGBAUM: Well, when we had come home from the store, I don't necessarily know that they were on when we were unpacking the groceries. I just remember before I went back to the store they were on, they came on.

GERAGOS: Okay. So,

KRIGBAUM: So

GERAGOS: the best that we can do at this point is say sometime between 12:30 and 1:00 and 4:15-ish?

KRIGBAUM: I'd say no. 4:15 and 4:30, from the time I got home to unpack the groceries and then when I went back to the store to get my marshmallows.

GERAGOS: Okay. Where were the lights on that, on the picture that we're looking at?

KRIGBAUM: Oh, they were all across the front. They were the icicles that hang down.

GERAGOS: When you say all across the front,

KRIGBAUM: Right.

GERAGOS:, straight across there?

KRIGBAUM: Exactly.

GERAGOS: Okay. Now, the, and when you left to go to get the marshmallows, the, Scott's truck wasn't there. Did you notice if Karen Servas's car, what does she have?

KRIGBAUM: She has a brown Suburban.

GERAGOS: Was the Suburban there, do you know?

KRIGBAUM: I didn't notice.

GERAGOS: You didn't look? Or,

KRIGBAUM: I didn't notice anybody home in the neighborhood, it seemed like, that whole day. So, I don't know.

GERAGOS: Okay.

KRIGBAUM: I wasn't

GERAGOS: You come back, you're fixing dinner, and at approximately what time do you get a knock on the door?

KRIGBAUM: I don't know. I would probably, well, it was dark, so maybe 5:30? Between 5:30 and I wouldn't say 6:00. Probably 5:30-ish, I would imagine.

GERAGOS: And then Scott looks distraught?

KRIGBAUM: Uh-huh.

GERAGOS: And he's very, very upset from the way that you normally know him; isn't that correct?

KRIGBAUM: Yes. Well, from the way he normally looked, he looked distraught. I mean, he wasn't like crying, bawling or anything, but he looked distraught.

GERAGOS: Okay. And that got you upset?

KRIGBAUM: Well, yes. Yes.

GERAGOS: Okay.

KRIGBAUM: Definitely.

GERAGOS: And upset enough that you interrupted what you were doing so that you could go help outside; isn't that correct?

KRIGBAUM: Yes. Yes.

GERAGOS: Okay.

KRIGBAUM: When I realized, you know, the situation, you know.

GERAGOS: How long did it take you, would you say, between the time you first saw him distraught at your door to when you actually left the house?

KRIGBAUM: Maybe could have been, like, 10, 15 minutes? Maybe?

GERAGOS: And did you take, when he first came to the door, were you by yourself talking to him?

KRIGBAUM: I was by myself at the front door, but then Terra was probably ten feet away from me in the kitchen, if that, right at the sink. And then Michael was coming up from the first living room, so probably about ten feet away from me, too. So he could have, he had a visual of Scott, coming up behind me.

GERAGOS: Okay. And then the, what time did you see, or did you see his truck first?

KRIGBAUM: That was the second time I had come back from the store. So if I, maybe 4:45? Between, yeah, 4:00, if I left to go to the store at, like, 4:30, actually, hold on. I never really had to figure out a time frame before, so I got home at, like, 4:15, unpacked all my stuff, did the fruit, went back to Save-Mart, so probably saw his truck at, like, 4:45 maybe?

GERAGOS: Okay. Now, the, how long were you out down in the park?

KRIGBAUM: Well, we ended up being by ourselves, so I don't necessarily know how long. We tried to do the whole search thing, and then everybody spread out and Terra and I ended up being alone. So we may have walked, like, maybe ten minutes, probably ten minutes at least going in one direction and realized we were freaked out, and we came back. So, nobody else was down there with us.

GERAGOS: Now, the, how long before the media started camping out in the street?

KRIGBAUM: Man, I think it was when we got up that next day there were, there were cars just up and down the whole neighborhood, so

GERAGOS: How long before all the satellite trucks and everything else started in?

KRIGBAUM: I believe that next day.

GERAGOS: Okay. Pretty much blocked off the whole block?

KRIGBAUM: Yeah.

GERAGOS: And that continued for how long?

KRIGBAUM: I don't know. Five months?

GERAGOS: Now, whenever, whenever Scott would come home when the media was there, what, what would happen when he would go in or out of the house?

KRIGBAUM: They would pretty much take his picture, stand on the curb and videotape him, ask him questions.

GERAGOS: They kind of surround him or swarm him, if you will?

KRIGBAUM: They would stay off the grass, normally. So, it got worse as time progressed.

GERAGOS: And the, come kind of, you described it or I think it was described at the preliminary hearing as a feeding frenzy at a certain point?

KRIGBAUM: Pretty much. Somebody said that. I don't know if I said that. I think I just agreed. It was hectic in our neighborhood.

GERAGOS: Thank you. I have no further questions.

JUDGE: Any other questions of this witness?

DISTASO: I don't, your Honor.