Witness: Susan Aquino

Date: 2004-06-09

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

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

AQUINO: Susan Aquino. S-u-s-a-n A-q-u-i-n-o.

CLERK: Thank you.

DISTASO: Ms. Aquino,: how are you related to or associated with the Laci Peterson family?

AQUINO: Laci is married to Scott, which Laci is my niece.

DISTASO: And Laci was your niece?

AQUINO: Hm-hmm.

DISTASO: And so that means that Sharon's your sister?

AQUINO: Sharon is my sister.

DISTASO: On the 24th of December 2002 did you get a call to go over to their house?

AQUINO: Yes, I did.

DISTASO: And you did go over there?

AQUINO: Yes, we did.

DISTASO: Where did you spend most of the evening?

AQUINO: Outside in front of their home.

DISTASO: Okay. And what were you doing there?

AQUINO: I was staying with Sharon trying to calm her down.

DISTASO: And what time, just very briefly, what time did you get there?

AQUINO: Oh, about 7:00.

DISTASO: And what time did you end up leaving?

AQUINO: Midnight. And then we went to Sharon's.

DISTASO: And then you went over to Sharon's?

AQUINO: Yes.

DISTASO: Did you stay the night over there?

AQUINO: No, we did go home.

DISTASO: Do you live in Modesto, also?

AQUINO: No, we live in River Bank.

DISTASO: River Bank?

JUDGE: The jury can't hear.

AQUINO: Oh, you can't. How's that?

JUDGE: Scoot up a little closer.

AQUINO: Okay. There you go.

JUDGE: Did you answer? The last answer, she lives in River Bank.

DISTASO: River Bank is a town. It's really right next to Modesto; is that right?

AQUINO: Yes.

DISTASO: Just north?

AQUINO: Yes.

DISTASO: In fact, just so I guess people are clear, it's also like a suburb of Modesto now?

AQUINO: Yes, it is.

DISTASO: After, I mean when you went home, did you go back to 523 Covena the next day?

AQUINO: Yes.

DISTASO: Was there a time when you were in the house and a couple of police officers came to the door?

AQUINO: Yes.

DISTASO: And when they came to the door, who was present at the door?

AQUINO: Scott.

DISTASO: And where were you?

AQUINO: I was sitting in, Laci had two chairs in the other little room with the double doors,

DISTASO: Hm-hmm.

AQUINO: to go outside. My husband and I were both sitting in each one of those chairs.

DISTASO: And could you hear what was going on?

AQUINO: Yes, I heard the officers telling Scott that there was.

GERAGOS: Objection hearsay.

JUDGE: Overruled.

AQUINO: That

DISTASO: Hold on.

GERAGOS: I'm sorry, did you overrule that?

JUDGE: Yeah.

DISTASO: Let me just go through it piece by piece.

AQUINO: Okay.

DISTASO: Or question by question. That's that the judge likes me to say.

JUDGE: Yeah, question by question.

DISTASO: You're sitting in the chairs in the little room?

AQUINO: Hm-hmm.

DISTASO: And you said Scott, and we haven't done this for the record, but you recognize Mr. Peterson here today?

AQUINO: Yes, I do.

DISTASO: And is that who you are referring to when you say Scott?

AQUINO: Yes, it is.

DISTASO: And some officers come to the door?

AQUINO: Hm-hmm.

DISTASO: And what do they say?

AQUINO: They let Scott know that there was two witnesses down at the park saying that they saw walking over at the walking bridge, you walk over the bridge, the walking bridge or whatever.

DISTASO: I'm sorry. One of the bridges down in the park?

AQUINO: Yes.

DISTASO: And what did the defendant say, if anything?

AQUINO: Well, I kind of got excited somebody had seen her and I said, well, what do you think. He says that wasn't Laci. He says, she doesn't go that way.

DISTASO: Nothing further, Your Honor.

Cross Examination by Mark Geragos

JUDGE: Mr. Geragos.

GERAGOS: Ms. Aquino, what day was this, do you remember?

AQUINO: Yeah, it was on the 24th.

GERAGOS: Where?

AQUINO: At Scott's home, Laci and Scott's home.

GERAGOS: Okay. What time?

AQUINO: Oh, I would say it was right after between 12:00 and 1:00.

GERAGOS: 12:00 and 1:00? 12:00 noon?

AQUINO: Yes.

GERAGOS: 12:00 noon on the 24th?

AQUINO: No, the, yeah, the 24th.

GERAGOS: The day before Christmas?

AQUINO: On Christmas.

GERAGOS: On Christmas. I'm sorry, so it was Christmas day?

AQUINO: No, Christmas day is the 25th.

GERAGOS: Right. So how would this happen on the 24th?

AQUINO: Christmas, the 24th. Christmas Eve.

GERAGOS: Okay. So on Christmas Eve you had this conversation?

AQUINO: Yes, that's what I said.

GERAGOS: Christmas Eve?

AQUINO: Christmas Eve.

GERAGOS: Between 12:00 and 1:00?

AQUINO: Christmas day we were there, okay?

GERAGOS: Right.

AQUINO: She came up missing on the 24th.

GERAGOS: Right.

AQUINO: Okay.

GERAGOS: Okay.

AQUINO: So do you have, do you have a problem? What's wrong with that? On the 25th he said.

JUDGE: Okay. That's what he wants to know. Just wait. Hold on. Everybody calm down. Ms. Aquino, this conversation took place on Christmas Eve?

AQUINO: Yes, it did. Christmas day.

JUDGE: So you were at Scott Peterson's house on Christmas day?

AQUINO: Yes.

JUDGE: This happened, so it was on Christmas day, the 25th of December.

GERAGOS: Right. Thank you. Christmas is on the 25th, by the way.

AQUINO: Actually, it's hard to tell what days those were.

GERAGOS: Now the 25th,

AQUINO: Yes.

GERAGOS: between 12:00 and 1:00 o'clock,

AQUINO: Yes.

GERAGOS: you're in the house at Covena?

AQUINO: Yes.

GERAGOS: And the two officers come in, correct?

AQUINO: Came to the door.

GERAGOS: Came to the door. And they said we're going to update you. We saw two, we have two witnesses that saw Laci going over the foot bridge?

AQUINO: They did not say they were going to update anything, they just said there was two witnesses down at the park.

GERAGOS: Okay. They said there was two witnesses?

AQUINO: Yes.

GERAGOS: And Scott told the officers that they found, let's see, that they, did they leave before Scott made that statement?

AQUINO: Just, can you ask the question again because you started to say something.

GERAGOS: Did the officers leave before Scott made the statement?

AQUINO: Yes, they did. To me.

GERAGOS: Okay. And who else was present when Scott made the statement?

AQUINO: Just my myself, my husband and Scott.

GERAGOS: And your husband's name?

AQUINO: Bill Aquino.

GERAGOS: And was Sharon there?

AQUINO: No.

GERAGOS: And this was, was Brent there?

AQUINO: No.

GERAGOS: And this was between 12:00 noon and 1:00 o'clock?

AQUINO: Hm-hmm.

GERAGOS: And where had Scott been before 12:00 noon, do you know?

AQUINO: I have no idea

GERAGOS: What time did you get to the house?

AQUINO: Around 11:00.

GERAGOS: And was Scott there when you got there?

AQUINO: I didn't see him right at first, no.

GERAGOS: What time did you see him?

AQUINO: Well, I know I saw him between 12:00 and 1:00.

GERAGOS: Okay.

AQUINO: There was a lot of people in there.

GERAGOS: There were a lot of people there?

AQUINO: Oh, yeah.

GERAGOS: Who else was there?

AQUINO: I don't know. I don't know these people. I don't even hardly know Scott. Actually, I can say I don't know Scott.

GERAGOS: Okay. Thank you. I don't have any further questions.

JUDGE: Any further questions?

DISTASO: No further questions.