Witness: Elizabeth Guptill

Date: 2004-09-08

Proceedings held September 8, 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

DISTASO: Ms. Guptill, do you live in the La Loma area of Modesto?

GUPTILL: Yes.

DISTASO: Okay. That's by the Dry Creek Park?

GUPTILL: Yes.

DISTASO: And during the month of December of 2000 and 2, were you pregnant?

GUPTILL: Yes.

DISTASO: And how far along were you?

GUPTILL: About five months.

DISTASO: Let me show you a picture. Judge, this is going to be 225.

JUDGE: All right.

DISTASO: And we can make it 225 A and B.

JUDGE: Okay. So two photographs. 225 A, 225 B.

DISTASO: One's a map.

JUDGE: All right.

DISTASO: And let me just show you this picture of 225 A. Who is that?

GUPTILL: That's me, my father and my oldest son.

DISTASO: Okay. And that was taken when?

GUPTILL: November, 2002.

DISTASO: During the month of December of 2002, would you walk in your neighborhood around by the park area?

GUPTILL: Yes.

DISTASO: Let me show you 225 B. And there's a little map there.

GUPTILL: Uh-huh.

DISTASO: Does that map accurately reflect the route that you would take kind of throughout the neighborhood?

GUPTILL: Yes.

DISTASO: Okay. And do you -- do you know as you sit here today whether or not you walked on December 24th of 2002?

GUPTILL: No.

DISTASO: Okay. What do you do for a living?

GUPTILL: I teach.

DISTASO: Were you on Christmas vacation -- was there a Christmas vacation during the month of December of 2002?

GUPTILL: Yes.

DISTASO: Okay. And were you walking in the neighborhood during your vacation time?

GUPTILL: Yes.

DISTASO: And when you would go for these walks, who would you normally walk with, if anybody?

GUPTILL: I push a stroller with my son in it.

DISTASO: Okay.

GUPTILL: Or walk by myself.

DISTASO: All right. And you -- I can't remember, do you have a dog? Or you don't?

GUPTILL: I don't.

DISTASO: Okay. Let me just show these pictures real quick. And that's a picture of how you looked in November of 2002?

GUPTILL: Yes.

DISTASO: Okay. And is this a map of the -- the -- is that the route or the areas where you would walk in the neighborhood?

GUPTILL: Yes.

DISTASO: Okay. Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good afternoon.

GUPTILL: Good afternoon.

GERAGOS: You don't have a dog?

GUPTILL: Pardon?

GERAGOS: You do not have a dog?

GUPTILL: I do not.

GERAGOS: You normally would go in the stroller, this stroller that's here?

GUPTILL: No.

GERAGOS: Different stroller?

GUPTILL: A jogging stroller.

GERAGOS: Okay. Does your jogging stroller look like this during the summer

GUPTILL: No.

GERAGOS: It doesn't look like a dog, does it?

GUPTILL: No.

GERAGOS: Okay. The -- when you -- look like on this map, you drew this map?

GUPTILL: No.

GERAGOS: Who drew the map?

GUPTILL: Who traced it? Oh, I traced -- I traced the line. I did -- I did the highlighting.

GERAGOS: Okay. And how about that, where it says: Weekends, holidays, eight to nine a.m., what does that mean?

GUPTILL: I didn't write that.

GERAGOS: Is that something you said?

GUPTILL: Where are you looking? On the bottom? On the right? In the middle?

GERAGOS: "Most frequent route," in the middle?

GUPTILL: Most frequent route and zigzag through residential streets. Weekends, holidays, eight to nine, after 4:00 p.m. on work days.

GERAGOS: Do you know what that means?

GUPTILL: Yeah. Do you see the shorter streets that are going vertically?

GERAGOS: Yeah.

GUPTILL: Zigzag would be like a switchback through those streets.

GERAGOS: Okay. Maybe I didn't make myself clear. Did you tell the -- you were interviewed in June, June 26th; is that correct?

GUPTILL: Uh-huh.

GERAGOS: You have to say yes for --

GUPTILL: Yes.

GERAGOS: Okay. When you were interviewed, did you tell the officers that when you walk, you walk in the afternoons, at 4:00 o'clock every other day?

GUPTILL: Yes.

GERAGOS: And that when you walked on vacation days it's between eight and nine?

GUPTILL: Yes.

GERAGOS: Okay. And when they asked you if you walked on the 24th of December, you told them no; isn't that correct? That you didn't recall whether you walked?

GUPTILL: I said I didn't know.

GERAGOS: You said you did not?

GUPTILL: I did not know.

GERAGOS: Okay. And you didn't borrow anybody's Golden Retriever on the 24th, did you?

GUPTILL: No.

GERAGOS: Thank you. I have no further questions.