Witness: Amy Neumann

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Birgit Fladager; Cross – Mark Geragos

Day 1 of 1 for this witness

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Direct Examination by Birgit Fladager

FLADAGER: Ms. Neumann, do you live in the La Loma neighborhood area of Modesto?

NEUMANN: Yes, I do.

FLADAGER: And how long have you lived there?

NEUMANN: A little over six years now.

FLADAGER: Which street do you live on?

NEUMANN: Buena Vista.

FLADAGER: Buena Vista. Could I have you just look at the diagram behind you up here, which is People's Exhibit 33. Do you see Buena Vista on this particular road?

JUDGE: You can show her.

FLADAGER: Or is it on a further, it may not be on this map. This is pretty close-in to Covena.

NEUMANN: Yeah, I'm on the other side of La Loma. So I'm not seeing La Loma.

FLADAGER: All right. Let me try another map for you. Can I have this marked People's next in order. And it is just one exhibit.

JUDGE: Okay. That will be 232.

GERAGOS: And that is the map.

FLADAGER: All right. Here is a map of the whole neighborhood, and do you see the street that you live on on that map?

NEUMANN: Yes, I do.

FLADAGER: Okay. I'll put that up on the screen. All right. Can you, I'm going to try and zero in on this, if I can find it. All right. There's a road up here. See where my finger is? Is that by Buena Vista, right where my finger is?

NEUMANN: Yes, it is.

FLADAGER: Okay. And the area that's marked in yellow, do you ever take walks in the neighborhood?

NEUMANN: Yes, I do.

FLADAGER: Is that a general area where you would normally walk?

NEUMANN: Yes.

FLADAGER: Okay. You weren't really walking, though, in December, correct?

NEUMANN: No, I was not.

FLADAGER: Of 2002?

NEUMANN: Correct.

FLADAGER: All right. Did you know Laci Peterson?

NEUMANN: We were either introduced at one point in time. I didn't know her.

FLADAGER: What, what were the circumstances under which you came to know who she was, at any rate?

NEUMANN: There were two incidences. One, my husband and I were out on a walk, and it was in August or September, 2002, I guess, and we had stopped to talk to some neighbors, and they said that Laci's filming a video because of this Encina thing. We were talking about the Encina issue, and so she was pointed out to us, and we, I think I was introduced to her at that time.

FLADAGER: Did you actually see her video, filming something?

NEUMANN: No. I think that she had been, filmed it after I, we stopped by, but she was filming during that time. We were right in the vicinity where she was, but I don't recall actually seeing the videotape and her.

FLADAGER: And you mentioned the Encina thing. Is there an Encina project that you're involved in?

NEUMANN: At that time there was an issue concerning Encina. Encina dead-ends in two places, and there was an empty plot of land that there was an infill project that was going to be determined before the planning commission as to how it would be planned. And at the time they were going to build homes which would permanently block Encina from ever being connected together.

FLADAGER: All right. And Encina is one of the roads there by Covena in the La Loma neighborhood, is that correct? Can you see it on the bottom of 33?

NEUMANN: Yes, I do.

FLADAGER: Okay. Does the Encina project have anything to do at all with the walking trail off the end of Covena Avenue?

NEUMANN: No. Not that I know of.

FLADAGER: Did it have something to do with traffic on Encina?

NEUMANN: Yes.

FLADAGER: Did you ever see a videotape shown of a city council or city planning meeting that Laci had taken of the traffic in the La Loma area?

NEUMANN: Yes.

FLADAGER: And that was related to the Encina project?

NEUMANN: Yes.

FLADAGER: I'd like to take you back to December 24th of 2002. Do you remember that particular day?

NEUMANN: Yes.

FLADAGER: Were you at home that day?

NEUMANN: I was at home in the morning until probably around 10:00, and then I believe I went to the grocery store.

FLADAGER: While you were at home in the morning on Christmas Eve, what is it that you were doing?

NEUMANN: Cleaning the house and probably just getting ready for Christmas Eve.

FLADAGER: Okay. On that particular day, were you feeling well or feeling not so well?

NEUMANN: I started not feeling well later in the day, and I was pregnant at the time, and so the doctor had ordered me to, to lay down and to stay off my feet after about 1:00 o'clock.

FLADAGER: And as a result of that, did you spend some time in your living room, resting?

NEUMANN: Yes. From 1:00 o'clock to the rest of the day I was laying on the couch.

FLADAGER: And while you're laying on the couch, can you see out your front window there on Buena Vista?

NEUMANN: Yes. My couch runs right along my front window.

FLADAGER: And did you keep an eye on what was going on outside? Traffic, people walking by?

NEUMANN: Yes. I have a dog who barks, so

FLADAGER: Just to clarify, then, you're home in the morning up until about 10:00 a.m.?

NEUMANN: Yes.

FLADAGER: An about 10:00 a.m. you leave to go run errands?

NEUMANN: Yes.

FLADAGER: And up until about 10:00 a.m. in the morning you're in and around your house, right?

NEUMANN: Yes.

FLADAGER: And the dog that you mentioned, he barks when other dogs go by?

NEUMANN: Yeah, he barks when other people or dogs go by. There's many, only, he barks at most dogs.

FLADAGER: When he does that, what do you do?

NEUMANN: I usually go look out the window to see who's walking by.

FLADAGER: All right. No further questions.

JUDGE: Who is going to cross-examine this witness?

GERAGOS: I will, Judge.

HARRIS: I'm sorry, one quick question while Mr. Geragos is approaching the podium.

FLADAGER: Did you see Laci Peterson walking that day, on December 24th?

NEUMANN: No, I did not.

FLADAGER: Thank you.

Cross Examination by Mark Geragos

GERAGOS: Good morning.

NEUMANN: Good morning.

GERAGOS: How are you?

NEUMANN: Fine, thanks.

GERAGOS: Good. The, you were contacted by the police in, June of 2003?

NEUMANN: June or July. I was very pregnant.

GERAGOS: Okay. And the reason was is that you were pregnant, there was an all-points bulletin for all pregnant women in that area? Did they take a picture of you and your dog?

NEUMANN: Yes.

GERAGOS: Is that it?

NEUMANN: Yes.

GERAGOS: Mark this as defense next in order. You recognize that to be how you looked in June of 2003?

NEUMANN: Yes.

GERAGOS: Okay.

JUDGE: That will be D 6 F.

GERAGOS: And specifically, if I understand correctly, you were asked about whether you were walking the dog in the neighborhood on the 24th?

NEUMANN: Yes.

GERAGOS: And this is your, this is the picture that was taken of you and your dog?

NEUMANN: Yes.

GERAGOS: And your dog, it looks like a Standard Poodle?

NEUMANN: Yes.

GERAGOS: And specifically you did not walk on the 24th, right?

NEUMANN: I did not, no.

GERAGOS: Okay. And specifically you were not home between the hours of 10:00 a.m. and 1:00 o'clock, correct?

NEUMANN: Approximately that time frame, yes. I went to the grocery store, I know.

GERAGOS: Okay. And the, so if you were, I think you described to Miss Fladager the fact that you would sit on your couch in the afternoon and, if somebody walked by, your dog would bark or something, right?

NEUMANN: Yes.

GERAGOS: But obviously you weren't there between the hours of 10:00 a.m. and 1:00 p.m. to observe whether your dog barked at anyone, correct?

NEUMANN: Approximately from around 10:00 to I know exactly at 1:00 I was home.

GERAGOS: Then you talked about, the other thing that they were asking about was the planning commission?

NEUMANN: Yes.

GERAGOS: Okay. Now, do you know if Bob Ford was involved in that? A city employee from Modesto named Bob Ford?

NEUMANN: I do not recall that name.

GERAGOS: Do you remember, do you know what Thousand R Oaks Park and Trail is? Did that have anything to do with the Encina project?

NEUMANN: Not that I recall, no.

GERAGOS: Okay. I'm going to show you what's been previously marked Defendant's Exhibit G 1. Do you see where on G 1 there's a e-mail back and forth regarding Laci Peterson complaining about the Thousand Oaks Park and Trail? That's something that's completely different, and I've also got G 2, which also talks about that. That's something that's completely different from the Encina project and this traffic situation that you were talking about, isn't that correct?

JUDGE: If you know.

GERAGOS: If you know.

NEUMANN: I,

GERAGOS: I'm asking you.

NEUMANN: I,

GERAGOS: if these two, if these two e-mails, and what they're referencing, if that's part of this Encina project?

NEUMANN: No. It does not appear to be part of the Encina project.

GERAGOS: Okay. The Encina project was yet something else that Laci Peterson was involved in regarding traffic that she was talking about with the planning commission, correct?

NEUMANN: Yes.

GERAGOS: That was separate and apart from the Thousand Oaks Park and Trail, as far as you know, correct?

NEUMANN: Yes, as far as I know.

GERAGOS: Okay. Now, the other, at that planning commission, did you see Scott Peterson?

NEUMANN: Yes.

GERAGOS: And wasn't he the one who was running the video while she talked?

NEUMANN: I don't remember who was running it. I just remember the video.

GERAGOS: Okay. And Scott, and you remember that Scott was there with her?

NEUMANN: Yes.

GERAGOS: Okay. And that was approximately when?

NEUMANN: I want to say September, October. There would be a public record of it.

GERAGOS: Thank you. I have nothing further. Thank you.

JUDGE: May this witness be excused?

FLADAGER: Yes, your Honor.

JUDGE: Miss Neumann you may be excused.

NEUMANN: Thank you, your Honor.