## Witness: Lydell Wall

Date: 2004-08-30

Proceedings held August 30, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Cross – Mark Geragos (continued from previous day); Redirect – David Harris; Recross – Mark Geragos; 2nd Redirect – David Harris; 2nd Recross – Mark Geragos

Day 4 of 4 for this witness

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

Source: https://pwc-sii.com/CourtDocs/Transcripts/Wall.htm

Page/line: not available (source HTML has no page or line markers)

Text below is verbatim from the source page for this date only.

### August 30, 2004

GERAGOS: We were going through the exhibits in the morning, I guess, that were marked on the binder that's 179; is that your memory of where we left off?

WALL: Somewhat.

GERAGOS: Okay.

WALL: Good morning.

GERAGOS: Good morning. How are you?

WALL: I'm fine, sir.

GERAGOS: Good. The, I think we were up to P. You've got a time there, I think, as well.

WALL: On P, yes. It's 8:17:02.

GERAGOS: And that's in the morning, correct?

WALL: That's correct.

GERAGOS: Okay. Now, that, if we could put that up, I guess. We were almost through with this binder on Thursday. This is, got a header up on top, says San Francisco Bay, correct?

WALL: Yes.

GERAGOS: OCSC, and then at 8:17 a.m.?

WALL: That's correct.

GERAGOS: Does that appear to be also something that had come from one of those earlier exhibits that was a search?

WALL: Yes, it does.

GERAGOS: Okay. So if I understand correctly, somebody's got their, their cursor up on the screen, they do a Yahoosearch, and then they press one of the results and, boom, this site comes up?

WALL: Yes.

GERAGOS: Okay. Now, the, that's 8:17. And the, you have the next one that's right after that?

WALL: Yes. 8:19:10 a.m.

GERAGOS: Okay. This also has USAfishing San Francisco Bay Report, Today's Headlines, Thursday, December 5th, correct? And then that comes up 8:19?

WALL: Yes. 8:19:10 a.m. On December the 8th.

GERAGOS: Okay. Now, that is also one of the ones, the USAfishing site is also one of the ones that was listed in the search that we looked at on Thursday?

WALL: Yes. It's part of that global web site USAfishing.

GERAGOS: Okay. And that's Q. And the next that we have?

WALL: 8:19:52 a.m.

GERAGOS: Okay. This is marked as R. Once again, you can tell we're still, still in that same search, right, fishing search?

WALL: Well, we're, we're back to, back to the OCSC.

GERAGOS: Site?

WALL: Site.

GERAGOS: Right. So somebody could just go --

WALL: Back.

GERAGOS: back. Press the little, the little green arrow that's on your computer that says "back" and takes you right back?

WALL: That's one way, or the other, the other explanation could be a toggle or a mouse click to minimize one window and go back to the one that was previously loaded.

GERAGOS: Okay. Given the times here, looks like somebody, appears to be fairly quick time, given the fact that you have got pictures that have to get called up as well, correct?

WALL: Yes. And that may possibly explain why the shift is going on; waiting for the pages to load, look at something else, then go back to what was previously loaded.

GERAGOS: Okay. The next one after R?

WALL: 8:21:42 a.m.

GERAGOS: Okay. Now, this is the, this is S. And then this is a Yahoosearch for this Suisun Bay map. Now, if I'm not mistaken, one of the ones that you showed to the jury earlier was that USAfishing location or web site? Do you remember that, that had the various bays?

WALL: Yes.

GERAGOS: Okay.

WALL: Where we showed a picture of the driving directions, too?

GERAGOS: Exactly.

WALL: Okay.

GERAGOS: Now, this is at what time, 8:21 and 42 seconds, correct?

WALL: Correct.

GERAGOS: Okay. And then the next exhibit right after this?

WALL: The next one you handed me is 8:22:16.

GERAGOS: Okay.

WALL: It's a nautical chart for Suisun Bay.

GERAGOS: Does this appear to be from the, from the search?

WALL: Yes. Number seven may be in direct correlation to that web page.

GERAGOS: Right here?

WALL: Actually being loaded. Yes.

GERAGOS: Okay. So if you take a look there, you see number seven is a nautical chart. And then you go here and match it up and you've got a nautical chart for Suisun Bay, correct?

WALL: Yes. It was a link that would most likely be associated with that web page.

GERAGOS: What's the next one?

WALL: 8:23:04 a.m. This is a National Defense Reserve Fleet.

GERAGOS: Okay. And this has, looks like it's a picture that's here. Would that picture have gone right in here?

WALL: Yes. That's where that image is embedded is in this block, wherever the red X is indicated.

GERAGOS: Okay. So it's a map which shows that area up in the San Francisco/San Pablo Bay area?

WALL: Yeah. The reference is to the National Defense Reserve Fleet.

GERAGOS: Okay. Does the, I guess I could ask you to sit back down. Does that appear to be all of the exhibits that were marked by the prosecution that you were asked to kind of pull up?

WALL: Of the ones that you showed me, yes.

GERAGOS: Okay. Now, do you show when the, by the way, this, which computer was the searches that are 179, which would have been December 8th from 7:52 until what we just saw, about 8:23, which computer was that off of?

WALL: That was the designation DELL laptop home 1.

GERAGOS: Okay. The, do you have the start time and end time on that particular day?

WALL: I have it, but it's difficult to attain without going through a multitude of pages. It would take some time.

GERAGOS: Okay. Did you ever, did anybody ever ask you to go through and determine on a particular day which computer was on and the times that it was on?

WALL: On certain days I was asked to show that computer activity for those days, but to actually chronicle the times, no.

GERAGOS: Okay. How about on the, were you ever asked to do it for the 24th?

WALL: Yes, on the 24th.

GERAGOS: Okay.

WALL: There was a start time and an end time.

GERAGOS: Do you have that information handy?

WALL: Yes, I do. I'd have to refer to my report.

GERAGOS: Okay. Sure. Tell me, I'll take a look.

WALL: We're on page 14 of my narrative.

GERAGOS: Okay. You don't have a Bates stamp on yours. Okay. And does that refresh your recollection as to the time?

WALL: Yes, it does.

GERAGOS: Okay. What was the time?

WALL: The DELL laptop home computer was first accessed at 8:40 a.m. and ended at 8:45 a.m. Computer activity was also observed with the first file created with the DELL work PC at 10:30 a.m. and ended with the last file being created at 10:56 a.m. I do not have the seconds.

GERAGOS: Okay. Let me start with the first. So it appears from 8:40 in the morning to 8:45 a.m.; is that, is the time that you're basing that on, is that the internal clock of the home computer?

WALL: Of DELL laptop home 1. That was the recorded times that were documented from the computer.

GERAGOS: Okay. Now, the, do you have the sites that were visited at that time?

WALL: I have the 24th

GERAGOS: Okay.

WALL: on that one, yes.

GERAGOS: Do you have that up?

WALL: Yes. It's a Microsoft Network Site. MSN home page.

GERAGOS: Okay.

WALL: I also have a Yahooweb site. Do you wish me to go on?

GERAGOS: Sure. What else do you have?

WALL: Weather site from Yahoo!

GERAGOS: Weather site?

WALL: Yes.

GERAGOS: It shows specifically where?

WALL: No, it's, it's the start page to enter in the zip code.

GERAGOS: What's the zip code?

WALL: There's, there's no zip code entered on that page.

GERAGOS: Okay. What's the next thing you show?

WALL: There's a Yahooshopping site that was accessed where a digital weather station and a garden weather vane are listed.

GERAGOS: And a digital what? Weather vane?

WALL: That's correct.

GERAGOS: Does it show what kind of a digital weather vane that is?

WALL: I'm sorry, it says a, there's a digital weather station and a garden weather vane, and a list of prices.

GERAGOS: Okay. And does it have, are you able to determine on the 23rd between 8, let's see, it's 8:40 is when it's first accessed, correct?

WALL: We're on the 24th. You said the 23rd.

GERAGOS: I'm sorry, the 24th. I stand corrected. The 24th, 8:40 from the DELL laptop home. And are you able to determine what, who was the user who accessed it?

WALL: That's possible.

GERAGOS: Okay. And the way you would do that, I assume, explain to the jury how you would do that.

WALL: Yeah. What we would do is look at corresponding files that are accessed during that same period of time, such as e-mail files, because typically most people, when they would go on the Internet, they would look at e-mails, they would potentially create files, like a temporary file, or they would do specific individual web surfing. So we look at those issues in correlation with the actual times that the computer was accessed. e 5 And as we go through these files on the 24th, during the a.m. hours, it progresses through specific web pages. There's another Yahooweather page.

GERAGOS: All right. And does this show where the weather is the person's looking for?

WALL: Yes. This is at 8:44:16 a.m.

GERAGOS: Uh-huh.

WALL: And this is for San Jose Today is what it's called.

GERAGOS: Okay.

WALL: And it gives a five day forecast.

GERAGOS: And it also gives a local forecast?

WALL: Yes. Current weather conditions. The wind, the barometer, humidity, the predictions of weather pattern, whether it's going to rain or not.

GERAGOS: Okay. And where is the next site that's checked?

WALL: The next one goes back to a, a Yahooshopping site where two items were listed, one is a GAP pro fleece scarf, and one is a sunflower motif umbrella stand.

GERAGOS: Okay. Now, the sunflower motif umbrella stand, what is that, do you have a, let's see if I can...you're not hooked up to be able to --

WALL: No.

GERAGOS: project this so that the jury could see this, right?

WALL: No. The 8:42:32 DELL laptop home 1, this is a temp file that was created for the Yahooshopping web site, and it lists the two items.

GERAGOS: Okay. When you click on, can you click on the two items? Will that show you,

WALL: No. They're not active. When I copy those files to my computer, the links are deactivated.

GERAGOS: Okay. So that I understand, if I wanted to show the jury physically what it was that the person who was on the computer between 8:40 and 8:45 was looking at, if I, if I understand correct, just let me kind of follow through this, you copy the computer, the hard drive, correct?

WALL: That's correct.

GERAGOS: Okay. When you copy the computer hard drive, it will show the link that the person went to, but you can't access that because you've taken it kind of out of its real time?

WALL: We've taken it away from its own environment, and we're accessing those files now from our view, that, that Graphical User Interface that I explained, that we are able to look at each individual file and folder from. It displays the web page, and if we are connected to the Internet, it will allow us to authenticate that web site, but it's typically something that we don't do because it's going to potentially change the image that we see. Now, in some cases we have to do that, but when we're looking at the actual document that's created, we don't want any changes to occur. So when we create the report, we do it not connected to the Internet.

GERAGOS: So the, so the most that I could, you can tell the jury right now, based upon the fact that you, you imaged the computer and took it out, is that whoever accessed that computer at home at 8:40 went to a weather site, correct?

WALL: That's correct.

GERAGOS: Then went,

WALL: For San Jose.

GERAGOS: Okay. Then went to a Yahooshopping site for a fleece scarf, GAP fleece scarf?

WALL: Says GAP pro fleece scarf, six dollars and ninety-nine cents.

GERAGOS: Okay.

WALL: And sunflower hyphen motif umbrella stand, twenty-nine dollars and ninety-nine cents.

GERAGOS: Okay. And then what's the next access on the computer?

WALL: A temporary file is created at 8:45:34 seconds of a e-mail in exchange from Scott Peterson and a Mr. J Shockley.

GERAGOS: Okay. Now, that take place at approximately what time?

WALL: That file is created at 8:45:34 on DELL laptop home 1.

GERAGOS: Okay. Now, was there an access that took place before the e-mail? Somebody have to log in to the e-mail?

WALL: Yes.

GERAGOS: Okay. That was done after the shopping site to check the e-mail; is that correct?

WALL: Yes. You would have accessed it to potentially see that for the temp file to be created. And we know it can be done in several different ways, as I testified before, through either the e-mail client or through the web version.

GERAGOS: Right. When you say before, as you're describing, somebody gets on their computer, they can either go directly to their e-mail, or they can go to the Internet and then get in in that fashion?

WALL: Exactly. If they were not at their own computer, they don't have to use the Outlook Express or Outlook Client, e-mail client. They can just go to the web page view.

GERAGOS: Okay. Now, the, did you, were you ever asked to determine that question that I referred to a couple of minutes ago, who was the person who logged on at 8:40?

WALL: No.

GERAGOS: Okay. Nobody ever asked you to do that?

WALL: No.

GERAGOS: Now, the next thing that you did, you said it went from 8:40 to 8:45, and then the next computer that you looked at was, on the DELL work PC; is that correct?

WALL: Yes. It's designated as Dell work PC 4.

GERAGOS: Okay. Now, and, once again, the designation, because it's been a while since you testified on direct, the designation of DELL PC work 4 means that Mr. Stockham, during a search warrant, labeled these computers, the four computers that were seized, and connected them to the locations that they were seized from, correct?

WALL: That's correct.

GERAGOS: Okay. So when we talk about DELL laptop home, that was a computer that you were told, at least, is seized from the house?

WALL: And by the numbering sequence, I could reasonably assume that it was the first computer that was seized. DELL laptop home 1 would be the first computer seized.

GERAGOS: Okay. Now, DELL laptop work PC 4, you checked and the first file created, I know that's going to take you a minute to get over there, but that was at 10:30, correct?

WALL: Yes. 10:30.

GERAGOS: Okay. Now, that 10:30 file, do you have that up there so we can just lead you through it?

WALL: Yes. There's some temporary files that are created that were listed, but they did not export into this report.

GERAGOS: And what was, what was the reason for that?

WALL: I have no idea.

GERAGOS: Okay. The, I think you had mentioned before on direct that there was a time when somebody went on that computer to a, for directions or instructions for a mortiser, how to assemble a mortiser?

WALL: That's correct.

GERAGOS: What time was that?

WALL: The first instance of that occurring there was a Yahoosearch that was conducted, and that search was conducted at 10:44:34 from the DELL work PC 4.

GERAGOS: Okay. Is it, do I understand correctly that that computer is logged on, at least internally, according to the internal clock, at 10:30 and there was continuous activity that goes through until 10:56, correct?

WALL: Yes.

GERAGOS: Okay. And during that time, the 10:30 to the 10:56, without having you, I'm sure the jury would be very disappointed, but I'm not going to have you print out every single web site and go through every single one, but is it a fair statement that whoever is on that computer is going from web site to web site or doing searches or doing e-mails continuously throughout that 36 minutes?

WALL: Yes.

GERAGOS: Okay. The specific search that was done was, on this mortiser, what preceded that?

WALL: Well, as I was explaining, there was a search results that was conducted for Delta machinery help.

GERAGOS: Delta machinery?

WALL: Yeah. Where the key words were entered, similar to the ones in the past on the Yahoosearch pages, Delta, machinery, help.

GERAGOS: So if we had that up here on the screen it would show the jury, like we saw before, boat or ramp or ocean, the same thing, except it's being done with Delta, machinery, help. Somebody trying to get, you would surmise, at least, I assume, that somebody is trying to figure out or get the instructions on how to assemble the mortiser?

WALL: That's very possible, yes, sir. There's one of 20 hits, and it lists different links on the search page pertaining to that search request.

GERAGOS: Okay. When they, when they hit, they get to 20 hits, the same thing that we were watching before? Do we go onto one of those sites as the kind of the next sequence in order? Does that make sense to you? You get a Yahoo search page that comes up after you put in Delta, help, and machinery, then you get a list, then one of those items on the list is where they went to?

WALL: Not directly. And I was looking for that because in between there there's some other web sites that are selected.

GERAGOS: Okay. Do they, does the person get there or hit that mortiser instruction pamphlet, so to speak, at a certain time?

WALL: There is a web site that's called News One, the web site is hit one time, and it talks about a Delta Unveils Universal Miter Saw Stand.

GERAGOS: What, what time do you get to the, do you have another Delta related or mortiser related item?

WALL: Well, I see a Delta logo, so it appears that that web site was reached, but there are literally hundreds of files that are created on a computer, and going through them is difficult. If you had a frame of reference that I could point to, if you already know that, that would be beneficial.

GERAGOS: Well, of the 10, roughly the 10:49 to 10:50s period of time?

WALL: There's a lot of files that are created even during that time. Gif images and a lot of things that are associated. For example,

GERAGOS: You just called up the one, delta?

WALL: Exactly.

GERAGOS: The Delta site. So you printed up something sometime after 10:44, and there was at least, so far you've hit on two of these Delta sites, correct?

WALL: Right. And there are specific gif images that are links that are copied out to the computer.

GERAGOS: When you say gif images, it looks like they were pictures, pictures that were loaded on a screen?

WALL: Yes. A lot of times the gif image on a web site is the little button that says "go to" or "home" or "e-mail," so people are pretty familiar with those on a web site. And some web sites have quite a few of those, and they all load onto a person's computer.

GERAGOS: Okay. Now, this, and to make sure that we've got this correctly, whoever is on this computer is on this computer continuously and virtually non stop from 10:30 to 10:56, correct?

WALL: Well, files are being created non stop, but that doesn't mean that the user is doing something non stop.

GERAGOS: Is there any, what's the most time that somebody could be away from that computer during that period of time?

WALL: There's no way to tell. You can load a page and walk away from it very easily. So if you looked at, let's say, for example, a sequence, if you went from, when one htm document, a web page, known as, has a file extension of htm, if you went from that one document and it loaded and looked at all the files between there, that would be the gif images or jpg images, or the document that is actually created as a part of that web page, and then go to the very next web page in succession, you could then get an idea of the times from one HTML document to the other. That would be one web page time created to the next web page. In between you're going to have an enormous amount of files, depending on how many images are associated with that web site.

GERAGOS: Now, specifically the, in this case you had a, I won't exaggerate it, but there are a number of web sites that are visited between 10:30 and 10:56; is that correct?

WALL: There there's a number of files that are created during that time. As far as web pages, I haven't counted the actual number of web pages that were visited.

GERAGOS: Okay. Does it look to you like somebody was continuously on that computer between those, for that 26 minute period of time?

WALL: I can't tell if they're sitting behind the keyboard continuously during that period of time, no.

GERAGOS: Okay. Nobody ever asked you, I take it, to go through and chronicle what time a certain web page is hit, what time the next web page is hit so you can do that?

WALL: No. To specifically analyze a time line or a time frame, no.

GERAGOS: Now, the, specifically some of the things that you were asked to do is to do some searches on the computer; is that correct?

WALL: That's correct.

GERAGOS: Okay. One of the searches you were asked to do, and this was, this was some time in September, the district attorney's office made a request that you do a search?

WALL: Yes.

GERAGOS: And that was, they gave you three words and asked you to search through, seeing if you can find those key words?

WALL: Yes.

JUDGE: September 2003?

GERAGOS: Excuse me?

JUDGE: September 2003?

GERAGOS: September 2nd of 2003.

GERAGOS: Correct?

WALL: That's correct.

GERAGOS: Okay. And they specifically asked you to search for divorce, for silencer and for shooting, correct?

WALL: That's correct.

GERAGOS: And in reviewing those key words, you had a method by which you did it, correct?

WALL: That's correct.

GERAGOS: And when I search something I just put control F, but I suppose you've got some more sophisticated way to do it?

WALL: It's a little different, yes.

GERAGOS: Okay. And you searched and you didn't find anything of any significance under either divorce, shooting or silencer, correct?

WALL: No, I did not.

GERAGOS: Okay. Now, the, specifically on this computer that was back at the house, the one that we called DELL laptop 1, do you know what the operating system was that it was running? Do you know if it was a Windows 98 or Windows ME?

WALL: All of these computers were a Windows 98 operating system.

GERAGOS: Okay. And generally the Windows 98 system that you're familiar with, is that, I guess the more recent operating systems you can differentiate between users that log on, correct?

WALL: That's correct.

GERAGOS: Okay. With Windows 98 you don't have that capability, you'd have to do what you, you, the analysis that you went through to the jury before, correct?

WALL: The capability is there, but it's not generally used by most people.

GERAGOS: Okay.

WALL: You have the option to select your personalized desktop settings and to log on and to secure those with a password, but generally that's not done during that time frame of those, the Windows operating system.

GERAGOS: To make that a little bit concrete, if I could, that means that as opposed to, if I had my laptop here, or sitting back at the hotel, and I was logging on under the current system, operating system, I've got to log in where I log in myself. If I had Mr. Naljian log in, he logs in on his own?

WALL: That's correct.

GERAGOS: Back on the Windows 98 system, two people, both he and I, would normally, the way we would use this is both people would share the computer and you wouldn't have to log on separately, correct?

WALL: That's correct. It's not, it was not a requirement to log on separately like it is with the Windows XP operating system now.

GERAGOS: Okay. And that's one, and so if I understand correctly, what you've, what you were saying earlier when I asked you to figure out who was the person who maybe logged on at 8:40, I mean, we show an e-mail by Scott at 8:45, but to find out who it was who logged on and looked at the weather and looked at the sunflower item and looked at the, the other, fleece scarf, you would have to analyze certain things that were done on that day, correct?

WALL: That's correct.

GERAGOS: And compare them historically with that user to try to differentiate between Laci and Scott, correct?

WALL: That's correct.

GERAGOS: Okay. And I assume that there's computer trails of some kind that you would use in order to do that, correct?

WALL: If it's requested, yes.

GERAGOS: Okay. And the, that was never requested in this case, if I'm correct?

WALL: That's correct.

GERAGOS: Okay. The computer trails that you would go to look at that would give you kinds of signposts or indications whether or not it was Laci who signed on or whether it was Scott would be what? Give me some examples of what you would do.

WALL: What I would do?

GERAGOS: What you would do in order to try to determine that or to make a comparison?

WALL: Yes. Like I mentioned earlier, we would look at e-mails that were accessed during that time frame, different web surfing habits. We would, there would just be a variety of files created by an individual user. So there's a lot of different variables that we would potentially look at.

GERAGOS: Okay. And then what you would do is compare, if I understand you correctly, you would compare the usage, if somebody goes to weather, you go back and take a look, did Laci do that in the past, correct?

WALL: That's correct. How many instances were there in the past where, say, for example, the weather of the South Bay, San Jose area was checked.

GERAGOS: Okay. You could also compare, I suppose, the times that the computer is accessed to see if there's a pattern first thing in the morning, or somebody gets up before they go for a walk, they want to check the weather?

WALL: That's correct.

GERAGOS: You could compare and see if this particular person, if it's Laci, had actually accessed a GAP web site before, they actually made a purchase, correct?

WALL: That's correct.

GERAGOS: Okay. Now, the, but none of that was done in this case, as far as you know? You weren't asked to do it?

WALL: A specific time line, no.

GERAGOS: Okay. Now, you were specifically asked to look at some folders; is that correct? Some e-mail folders?

WALL: Yes.

GERAGOS: Okay. You were also, if I understand correctly, did you do this, let's see. There was a, if I understand, you got these four computers, or the images, and then nobody gave you any specific data pertaining to the internal clock settings, correct?

WALL: No.

GERAGOS: Okay. And then I guess you used this formula, what you called this EnCase forensic software, on the 27th; is that correct? Or somebody did it on the 27th?

WALL: Yes.

GERAGOS: And then you say that there were no acquisition, hash values were present in the analysis report. What does that mean?

WALL: Basically when, when a acquisition of a hard drive is done, that's the actual copying, it's the bitstreamed image, when that is made, the user who is creating that bitstream image, has the ability of creating a hash file. And,

GERAGOS: Let me stop you one second. You say they have ability to create a hash file. What does that mean?

WALL: Okay. The hash in this regard is a M D 5. It's a mathematical algorithm that basically determines that one file is identical to the other. And that can be done across this system where it will compare the hash value of the original hard drive and that of the image that's acquired, the image files, to be able to verify those. It's a process that takes more time, and it was conducted by Officer Stockham and he chose not to select that.

GERAGOS: Okay. By not doing that, what is the, there's a down side, correct?

WALL: No, not really, because there's,

GERAGOS: Why would you do it, I guess is a better question?

WALL: There's many checks and balances that occur when conducting a bitstream image. There's one that's automatically done by the software called the cyclical redundancy checksum, and I could no more spell that for you, I'm sorry. But,

GERAGOS: Or say it five times fast?

WALL: Exactly. That process creates a check of the system that's being copied, and in that process, it's like one in four billion, that there's a potential problem. And in this case there were

no problems that were reported when creating that image file, set of image files.

GERAGOS: Okay. So as far as you know there's, there's no real significance to the fact that they, that that was not done?

WALL: None whatsoever. There were no errors reported when copying those files.

GERAGOS: Okay. You were then asked to do a key word search at some point, keyword, looks like sometime within the week of getting this, the images; is that correct? You were asked to do some keyword searches?

WALL: That's correct.

GERAGOS: Okay. One of them was for the keyword LaciBiscuit L-A-C-I-B-I-S-C-U-I-T?

WALL: I'll have to refer to my report.

GERAGOS: I'm looking at, on your report, page seven. I've got it on, bates stamped, but I don't think yours is Bates stamped. But it's at the top of the page. Does that, is that a keyword search that was done?

WALL: Yes, it was.

GERAGOS: Okay. Now, the information that was, I guess this term, LaciBiscuit, was a name that appeared in e-mail correspondence between Scott and Laci, correct?

WALL: That's correct.

GERAGOS: Okay. Now, as you were explaining to the jury before, the e-mail correspondence that took place between Scott and Laci was on a Yahoo Web based system, correct?

WALL: Yes.

GERAGOS: Okay. And it was also that, this LaciBiscuit was also a keyword that was used as the password; is that, do I understand that correctly? That term was the password for accessing?

WALL: Yes. There was a password that appeared to be associated with a user name of B-I-C-U-I-T-L-O-V-E-R, and that was for access to a Travelocity account registered under the name of Scott Peterson.

GERAGOS: Okay. Now, the, the e-mails that went back and forth between Scott and Laci, did, were, was one of your tasks to extract those e-mails from the computer?

WALL: Yes, it was.

GERAGOS: Okay. And did you do that?

WALL: Yes.

GERAGOS: And did you file, did you compile any kind of a report about the e-mails that went back and forth between e 6 them?

WALL: Not an individual analysis of each one, but they were copied.

GERAGOS: Okay. And then saved, correct?

WALL: Correct.

GERAGOS: Okay. Nobody asked you to do any kind of an analysis, that you're aware of, that documented times, for instance, between the two, between the two users, between Scott and Laci?

WALL: No. Typically, in a computer analysis, I extract the evidence for the investigators to review, for them to determine what is relevant in their investigation. I don't necessarily get involved in the individual analysis or the, of the importance of those documents that we locate.

GERAGOS: Okay. And in this case, who was the investigator that you were dealing with?

WALL: I was dealing with, directly as a liaison was Detective Mike Hermosa.

GERAGOS: Okay. And Detective Hermosa was the one who was supplying you with these keywords to search for and asking you to take a look at these various tasks?

WALL: Yes. For the most part.

GERAGOS: Okay. Now, the e-mail folders that you looked at, did you search or were you ever asked to search to look through the e-mails that were sent by Laci Peterson?

WALL: What I did was just extract all that I could find on those computers and save them to the report disk.

GERAGOS: Okay. Now, you, it appears that one of the other things that you did was take a look on the computer for items that were being sold; is that correct? On eBay?

WALL: That's correct.

GERAGOS: Now, the, it's, and you actually found some items that were placed on eBay looks like on December 21st; is that right?

WALL: If that's what you're telling me, yes.

GERAGOS: Okay. I'm looking at page 11 of your report. If you want to take a look.

WALL: Okay. I'm there.

GERAGOS: Okay. Is that, did I state that accurately, that these were, these were items that were placed on eBay on the 21st?

WALL: Yes. This is an e-mail that was sent out of a daily status, I believe is what it is. Or not necessarily an e-mail, but where you can access the web site, and it gives you a daily status in a web format of what you have for sale. There's even so much as you can check on what you're looking for, what you are wanting to bid on.

GERAGOS: It shows, shows what the bids are, what current things are, things of that nature?

WALL: That's correct.

GERAGOS: Okay. Did you ever compare the eBay times with the internal clock times on the computer?

WALL: No. I was informed by Officer Stockham that the times, in his opinion, were correct, that were associated with the computer in correlation to real time.

GERAGOS: Okay. Have you looked at, and you understand that the eBay times, they generally try to keep track of those because it's an auction site, correct?

WALL: That's correct.

GERAGOS: Okay. Wouldn't one way to determine whether the internal clock on these computers is accurate is to compare what the internal clock reading was and compare it to the eBay time?

WALL: No, that would not be a way that we do it. Typically we would check the computer's internal clock with the United States Naval Observatory master clock at the time that the acquisition was made.

GERAGOS: And the, nobody in this case, as far as you know, compared the eBay times with the internal clock times that were showing, correct?

WALL: No one, no, I did not do that.

GERAGOS: Okay. Now, there was also a, another number of names that were given or words that were given by Adam Christiansen to you; is that correct?

WALL: That's correct.

GERAGOS: And you understood that these keywords were obtained from a Detective Buehler of the Modesto PD?

WALL: That's correct.

GERAGOS: Okay. And the keywords were McKenzie; is that right?

WALL: If you tell me what page you're on.

GERAGOS: Page 13.

WALL: I'm there.

GERAGOS: Okay. Gave you eight specific keywords to search for, correct?

WALL: That's correct.

GERAGOS: Mckennnzie, earthlink, pavelek, Campbell, pdcoze, @aol.com, OffShore, dvdbohanan; is that right?

WALL: That's correct.

GERAGOS: Okay. And they resulted in a number of keywords appearing, correct?

WALL: That's correct.

GERAGOS: However, in reviewing them no significant information was observed, right?

WALL: I did not see any, no.

GERAGOS: And then in reviewing this, did you determine on the 23rd, we've gone through the 24th, the two computers that were used, right? You also determined on the 23rd that two, only two of the four computers were accessed; is that right?

WALL: That's correct.

GERAGOS: Okay. The activity on the 23rd shows that the DELL work top (sic) PC 4 started at about 9:27 a.m.

WALL: Yeah. The DELL work PC 4 was 9:27 a.m., that's correct.

GERAGOS: Okay. And then you said it went from 9:27 to 9:42; is that correct?

WALL: That's correct.

GERAGOS: Then it appeared there was about a two hour break?

WALL: Yes.

GERAGOS: And then computer usage started up again at 11:46, right?

WALL: 11:46 a.m. that's correct.

GERAGOS: And went through 1:28 p.m.?

WALL: That's correct.

GERAGOS: Okay. Now, the files that were accessed on December 8th, the ones that we went through ad nauseam here on Thursday, those were all accessed on the DELL laptop home?

WALL: DELL laptop home 1.

GERAGOS: Home 1. So that would be both the morning files and the evening files were all done at home?

WALL: They were done on the DELL laptop home 1 computer, which is a laptop.

GERAGOS: That was found at the house?

WALL: That's correct.

GERAGOS: Okay. And the, on the 23rd, the computer that is marked as the DELL work PC 4, 9:27 to 9:42, two hour break, then 11:46 to 1:28, correct?

WALL: That's correct.

GERAGOS: Okay. Now, the computer that was marked as DELL laptop home, did you check that on the 22nd of December or the 20th of December to see if it was accessed?

WALL: I copied out files at the request of the investigators for December the 20th, but not December 22nd.

GERAGOS: Okay. Did you prepare a report as to the 20th? I didn't see it.

WALL: Of the files that were created?

GERAGOS: Of the files that were created.

WALL: No.

GERAGOS: Okay. Could I ask you to go to the 20th and tell me what time, this is on the DELL laptop home, correct?

WALL: No. DELL work PC 4 started at 6:58:44 a.m. That's on December 20th.

GERAGOS: 20th. Do you have anything on the home computer on the 20th?

WALL: No. All I have is Dell work PC 4 for that day.

GERAGOS: Okay. Going forward, 21st or 22nd, anything for DELL laptop home?

WALL: 21st?

GERAGOS: Yes.

WALL: Yes. There's files there for DELL laptop home 1.

GERAGOS: Okay. What time is that accessed?

WALL: 8:31:18 on the 21st.

GERAGOS: 8:31:18. And what time is it off?

WALL: The last file was created 11 and 16 seconds. 11:00 a.m., 16 seconds. That's December 21st.

GERAGOS: That's December 21st, correct. The 22nd?

WALL: No record of the 22nd.

GERAGOS: You have no record because you weren't asked to do it? Or no record because you didn't find anything?

WALL: No record because I wasn't asked to do, copy the files out for that day.

GERAGOS: Okay. The other, would you also, sorry to jump around. I just forgot one thing. I mean the data that you accessed or looked at for the activity that was taking place between 10:30 and 10:56 on the DELL work 4 computer?

WALL: And what day are we on?

GERAGOS: December 24th.

WALL: December 24th. From the December work PC 4.

GERAGOS: DELL work PC 4. Did you, did you prepare a report as to what you found during that 26 minutes?

WALL: No, I just exported all the files for review by the investigators.

GERAGOS: Okay. Thank you. I have no further questions at this time.

**Redirect Examination by David Harris**

HARRIS: Detective Wall, I'm going to go back and, and start with some of the first questions that you were asked and try and cover that. You were being asked about times on the web sites and being close together, and you've been saying something about having multiple windows open. What do you mean by that?

WALL: Basically when, and most people are familiar with this, and you may be as well yourselves, when you are using the Internet, it's very common for one window to be open and start your search, but as you progress through you notice that multiple windows may open on their own from selecting specific web sites, through a search or by whatever process that is taken. The next thing that can happen is the user can individually open as many windows as they want and be able to toggle back and forth. I commonly do it with an alt tab and toggle to, an alt tab keystroke, that is, and toggle through an individual web page that I happen to be previously viewing, or however it lines up. So it's very common for people who do web-based Internet research to switch from one web page to another, and it can be done simply by an alt tab toggling effect keystroke, or you can select the minus bar up at the top right hand corner of that browser, minimize it down to the tool bar at the bottom, and see what was there previously. Another method would be to drag your cursor down to the tool bar, and then move from one web page that's open, along your tool bar, to another.

HARRIS: Now, when you were, I guess using a term that I'm aware of, when you hopped between those two, kind of skipped between one and the other, is that a way that you can load more at one time and be looking at the other page while the other is loading?

WALL: That's especially a common practice on slow Internet connections. Even sometimes with the faster connection, if you're asking your computer to do a lot of things at once, it may slow the process down. So you can be reading one page while others, or multiple pages, are loading.

HARRIS: Now, if you're doing this process, where you've got multiple windows open, can you really tell how long a person is looking at a particular web site, or whether they're even looking at a particular web site, if you're just going by the times of the files being created?

WALL: No, not really.

HARRIS: Now, when you're talking about a particular file, is there a way that you can tell that they've actually had an interaction with that particular page?

WALL: Sometimes there is. If the page is stored or saved, you can bookmark a favorite web page and it would allow you to access that at a later time, or you could print it out and look at the printed version of it.

HARRIS: Now, the person, if there's something on a page, such as you've been describing, these hyperlinks or something that they could zoom in on, would that be another way to tell if the person actually interacted with that particular page?

WALL: Yes, it would.

HARRIS: How is it that you can tell?

WALL: Well, one of the issues, specifically in this case on December the 8th, that US Geological Survey site that showed the current velocity map, it may take a while for that page to load. And in this case it was most likely loading and another web page in time sequence was looked at. So the potential for having multiple windows open is a reasonable explanation. At that point we know that that same US Geological Survey site with the current velocity map on it was revisited, because from that web site a zoom had occurred, and that zoom was recorded in that process. So the user placed the cursor over a specific area of that current velocity map, clicked, did a left mouse click, and then the zoom web page appeared, which is a separate web page which was then logged on the computer with its own separate image.

HARRIS: Now, you've shown us some examples and talked about some examples of these individual search pages. If you want to go to a particular web site or want to find something, how does this process work? How do you actually find something on the Internet?

WALL: The method by which most people use, and I myself use most frequently, is go to a web search engine, like Yahoo or Google, and simply enter the name or the key words that you're wanting to do the research, enter that into the computer, and then look at the corresponding results that return to you on that web site. Similar to those that were listed in the Yahoo searches, where there's multiple web links that are listed on the search results page.

HARRIS: Now, you're being asked about some of these web sites, and I want to just take a moment to, to cover this. Now, you were talking, let me back up for a second. You were saying something about a zoom occurring. And I'm looking at 183B. Is this the particular chart that we're talking about, you were saying the Bay currents?

WALL: Yes, it is. If I could approach the projector and take a closer look at it.

HARRIS: Sure.

WALL: I could make a clarification. This is a replica of it, because, as you can see, this is one that was authenticated, with this actual image being created on June 26, 2004. So it's not the actual image that was observed.

HARRIS: All right. So then let's go to 189A. So when we're talking about these particular items, what we're seeing here is this is what you recovered from the computer in 189A?

WALL: That's correct.

HARRIS: And then you went to the web site, and as you described it, the term you used is that you authenticated this?

WALL: That's correct.

HARRIS: So this is what the actual web site looks like?

WALL: Yes, it does.

HARRIS: So if you were sitting at the computer, looking at the screen, this is the image that you would see?

WALL: That's correct.

HARRIS: But what's stored or saved on your computer is this particular information?

WALL: That's correct. And that is because the documents get separated from the images. They're two separate files.

HARRIS: Now, to go through this as well, we had another example of an actual document that was recovered, and this was defendant's GGGG, 4G, and you were shown that particular document?

WALL: Yes, I was. Mr. Geragos showed me that one.

HARRIS: Now, when you did your search through the computer, again one moment to find it, I want to show you 179Q. And this is a document that you recovered as part of your search?

WALL: Yes, it is.

HARRIS: Now, these two particular documents, comparing 179Q and Defendant's 4G, are these the same documents?

WALL: If you could place the other one up there again. Yes. And the reason why they, they appear similar is because the Today's Headlines, Thursday, December 5th, 2002, is identical.

HARRIS: Now, we can see when we look at 179Q that there's these boxes, as you've described before, with the little red Xs in it?

WALL: Yes. These here.

HARRIS: And you described for us before when you're pulling up a file, recovering it as part of your forensic analysis, is every document that comes up or every file that comes up use htm or HTML documents?

WALL: Not every file, no. The web page is associated with an htm or HTML file extension. That lets us know it is a web page. Other files that are created would be the image files, which are separate from the htm file, and they're logged as separate files, and, as a result, are separated into different areas or different folders under the browser. In this case Internet Explorer browser.

HARRIS: Okay. So when Mr. Geragos was asking you in these books, 179, I believe the other one is 180, looking at the a.m. work on December 8th and the p.m. work on December 8th, he was asking you if there were a number of files that were skipped and not included in this, these particular exhibits. The files that were skipped, they include these gifs that are not seen here in these little boxes?

WALL: That's correct. Files such as this.

HARRIS: And if we compare that to this particular, which is 4, 4 G, we see what those particular gifs or those little graphics files are?

WALL: Yes. And those are resident on the computer.

HARRIS: So when you say they're resident on the computer, what does that mean?

WALL: Those are files, each of those images are files that are on the computer during that same date range. We just didn't print every one of them out.

HARRIS: Now, when you, going back to 179Q, you've written, and again we covered this as part of your direct, but just so that it's clear, when Mr. Geragos was asking you about the two different binders and asking you the dates and times, each, each of those documents has an a.m. or a p.m. next to it?

WALL: That's correct. Down here, and it's a designation of when they were created on the computer.

HARRIS: All right. So looking at this particular document that's up on the screen now, 179Q, that is at 12/8, 8:19 and ten seconds in the morning?

WALL: That's correct.

HARRIS: Now, when we look at the document that was found as part of the search warrant, this has that December 9th, 2002 print date?

WALL: That's correct.

HARRIS: And you've told us about how that works, that it works, when it's printed, it takes the printer's time. Can you explain for us the difference between the time on the computer and how this has this other time?

WALL: Well --

GERAGOS: Objection. Vague.

JUDGE: No, I think he can answer. Go ahead.

WALL: This time is the time stamp that's, or date stamp that's associated with the operating system at the time that the printer request is made to print this document. I think is what, what you were looking for. I may not have totally understood your question.

GERAGOS: That's why I objected as vague.

JUDGE: Very perceptive. You want to rephrase it, because he doesn't get it. I thought he understood it, but I guess he didn't. Go ahead.

HARRIS: I'll do my best.

HARRIS: Just to go back through that, you're talking about the 12/9 date. That is a date that comes from the computer's operating system?

WALL: That's correct. That printed this document.

HARRIS: And if this document, we've seen the previous document, the 179Q, that's created on the computer at the 12/8 time that we're talking about, that will, if it's printed right then and there because that's the time of the computer, this could not have been printed at that particular time, could it?

WALL: That, no. No.

HARRIS: So some, some way this particular document was, how did this document get there then?

WALL: Well, in checking the time of Thursday, December the 5th, and knowing when we located that document, and then checking it with this date, the only conclusion one can come to is that this file had to be saved. This web site had to be saved to be printed at a later time, because it corresponds with the document that was created on DELL laptop home 1 on December the 8th at 8:19 and whatever seconds it was.

HARRIS: And is there, was there another time during those two particular binders, 179 and 180, where the person that was on the Internet went back to this particular site?

WALL: Yes, there was.

HARRIS: And what happened when the person went back to that site in the later point in time?

WALL: Of course, a new date and time stamp occurs for that file's creation time to show us when it was actually created on the computer. But more importantly, this Today's Headlines we know is changed to December the 8th, indicating that from the time that the original was viewed, the web master, whoever is responsible for the content, updated the web site and changed the date to reflect the current date.

HARRIS: So somewhere in the computer, whoever was doing this was saving some information?

WALL: That's correct.

HARRIS: I want to go to the next area, show you 186. Want you to take a look at this. We may have to resume your seat to look at your report. I believe it's page twelve of your report.

WALL: No, it's not twelve.

JUDGE: Is this the Peterson/Shockley e-mail he is referring to now?

GERAGOS: What's your Bates stamp.

HARRIS: 37072.

GERAGOS: Thanks.

HARRIS: I'll help you out. I'll show you my copy. Now, you were being asked about the 24th, and about the access of the computers on the 24th?

WALL: Yes.

HARRIS: And you were saying that it was approximately from 8:40 to 8:45 that the DELL laptop home 1 was being used?

WALL: That's correct.

HARRIS: And the last item on there that you talked about was this previous exhibit that's been marked as 186?

WALL: Yes.

HARRIS: And this was an e-mail that was accessed by the defendant?

WALL: That's correct.

HARRIS: I want to go through the process of this. What was the defendant's e-mail address?

WALL: It was S-L-P-E-T-E-1 at M-S-N dot com, I believe.

HARRIS: And what is MSN dot com?

WALL: MSN is the Microsoft Network. Operates, they're an e-mail server system, and it's very similar and I believe a companion to Hotmail.

HARRIS: Do you have to sign up or create an account with that particular dot com to use their facilities?

WALL: Yes, you do.

HARRIS: So when you sign up and do that, do you have to create a user name and a password?

WALL: Yes.

HARRIS: So for you to use that MSN e-mail address, you have to log into it before you use it?

WALL: That's correct.

HARRIS: And when you were looking at this, you were describing for us one of the first pages that was looked at on the 24th was an MSN page?

WALL: That's correct.

HARRIS: Now, prior to that e-mail, was there a login right before that e-mail?

WALL: For security purposes, the login doesn't always show. So that residual content could not be, let's say, hacked from a computer. So the login isn't going to necessarily show what, the user name.

HARRIS: But for you to get to that particular place, you'd have to go to the MSN web site for you to access it?

WALL: That's correct.

HARRIS: And when is, at what time is that MSN accessed on the 24th?

WALL: There's a access to a reference of MSN at 8:42 a.m.

HARRIS: So within two minutes of the computer being, something coming up on that particular computer, whoever it is is going to the MSN page?

WALL: It's the very next activity on the computer.

HARRIS: And then it doesn't show that there's an account password, that the last activity on that particular day is the defendant checking his e-mail?

WALL: That's correct. And the reason why there may not be an account, any account activity in a web based format is because it is accessed through the Outlook Express e-mail client.

HARRIS: And again, when we're talking about this activity, we're only talking about from 8:40 to 8:45 that morning?

WALL: That's correct.

JUDGE:Okay. We better take the recess for the court reporter.

HARRIS: All right.

<Morning recess>

HARRIS: Detective Wall, I'm going to go back to something and just clarify this. On the 24th you were talking about this Yahoo weather search?

WALL: That's correct.

HARRIS: Now you said that there were two files, two weather files that came up?

WALL: Yes, there were.

HARRIS: So on this Yahoo page someone had to click on "weather" and the weather page came up?

WALL: Yes.

HARRIS: And then you were talking about something about a zip code. Can you explain to us what you meant by that?

WALL: Yes, on that website page, the process allows the user to enter a specific zip code for the weather that they want. Once that zip code is entered, it directs you to the weather for that region, which the first one was for San Jose weather.

HARRIS: So someone put in a zip code for the San Jose region?

WALL: That's correct.

HARRIS: And did a San Jose weather forecast come up?

WALL: Yes, it did.

HARRIS: And that is the page file that you saw?

WALL: Yes.

HARRIS: Now, one last thing, showing you what's previously marked as 174F, what is this particular device right here next to the computer?

WALL: This device right here is a Dazzle screen capture device or video capture device as well.

HARRIS: What does that mean?

WALL: Dazzle makes a variety of products that allow the user to connect a video camera to the device and it interfaces through the computer and allows you to view what's on the video camera through the device on your screen, capture that video or take specific snapshots of what happens to be on that video device. It can be a variety of video devices, by the way.

HARRIS: The People have no further questions.

**Recross Examination by Mark Geragos**

GERAGOS: What do you have, Mr. Wall, do you have what looks like the Excel spreadsheet of the, all the searches that were done?

WALL: No, I do not.

GERAGOS: Can you call that up, and specifically for the 24th.

WALL: Are you referring to another disk?

GERAGOS: God only knows what I'm referring to. Do you want me to show you what I've got in front of me?

WALL: That probably be a good idea.

JUDGE: Do you want to go up there, Detective Wall, and see what Mr. Geragos has in his hand.

WALL: Yeah, this is a complete different disk. I don't know if I have that.

GERAGOS: Are you able to read it off of what I've got here? Do you want to do it that way? What I'm showing you, does that look to you to be a disk, and I'll come around, that you or somebody compiled of what was searched on the 24th?

WALL: Yes, this is an Excel spreadsheet that was exported.

GERAGOS: Now, on that it looks like starting at 8:40 --

WALL: 8:40.

GERAGOS: Somebody goes on, and the first thing that hits is MSN?

WALL: That is correct.

JUDGE: This is December 24th?

GERAGOS: On December 24th. At 8:40, correct?

WALL: That's correct.

GERAGOS: And, MSN, would that lead you to believe that that's the home page?

WALL: What this is is an XMR for an extension that allows for viewing of a specific website page, yes.

GERAGOS: Okay. So if I, when I open my computer, it goes automatically to Yahoo?

WALL: You don't know --

GERAGOS: I have no idea what's going on in terms of the, in technically within the computer. What I assume is happening on this computer at home is when they open it up, the computer goes to MSN; is that correct?

WALL: That's very possible these files are then being created.

GERAGOS: Okay. Now, and Laci Peterson's e-mail is also MSN, correct, laci@MSN?

WALL: I believe at Hot Mail. It has a different designation, I believe.

GERAGOS: And I think your report somewhere had indicated that the two of them share their e-mail as well?

WALL: There was some indication that is slpete1@msn was potentially theirs.

GERAGOS: Okay. Slpete1, we saw an e-mail at 8:45 or 8:44 that looked like it was Scott's, slpete1, but there are indications that she used that e-mail as well, correct?

WALL: From, and that was from a previous or previous dates --

GERAGOS: Okay.

WALL: as I recall.

GERAGOS: That was the only way you would be able to tell. You have to look in the past, see what she used, and it was apparent to you at least that she, on a number of occasions, more that two or three, had used that e-mail, correct?

WALL: Yes, correspond to Scott.

GERAGOS: Now, so it goes to MSN, what's the next date, what number of entries here, can you tell the jury what those are.

WALL: Well, there's image files that are associated with the site. A lot of them are image files. And then you can see where the weather page is accessed.

GERAGOS: Okay. Now the weather page is accessed before or after that umbrella stand and the scarf is looked for?

WALL: I have to go back and use this one.

GERAGOS: Could you do that. It comes after the weather. Okay. So what does it look like, the first place that somebody goes to it's, the MSN opens up, it opens up to the home page which is MSN; correct?

WALL: Yes, and we know there was some navigation that went to Yahoo to look for weather.

GERAGOS: Okay.

WALL: And the zip code was entered for the San Jose area.

GERAGOS: Okay.

WALL: And then that page, that resulting website page is viewed.

GERAGOS: When you say that are you talking about the weather page; is that correct?

WALL: That's correct.

GERAGOS: Okay. And after the weather page, somebody looks and sees about a scarf and about an umbrella stand, correct?

WALL: Yes.

GERAGOS: Okay.

WALL: That's a temporary file that's created.

GERAGOS: And that was not saved in any fashion, bookmarked or anything else, correct?

WALL: Not that I would know of, no.

GERAGOS: Okay. So the only way that somebody would have known to look at this or to see this, be able to retrieve this is by you having this EnCase software that does this; is that correct?

WALL: That's correct.

GERAGOS: And the EnCase software is able to trace these things by whatever internal mechanisms?

WALL: Well, the files are there. They never go away.

GERAGOS: And this software that you use, law enforcement uses is able to track that, correct?

WALL: That's correct.

GERAGOS: Okay. So the person signs on at 8:40, goes to the home, it automatically, the computer automatically opens up to MSN, they then check the weather, they then check for a scarf, they check for an umbrella stand, correct?

WALL: Yes, that can be as simple as a link on let's say the, some Yahoo's page that was clicked on.

GERAGOS: Okay. Then the e-mail is checked; is that correct?

WALL: Yes. After that a temporary file is created and an e-mail is checked regarding an E-Bay mail regarding a ping staff bag.

JUDGE: Regarding a what?

GERAGOS: Ping staff bag.

JUDGE: Ping?

WALL: P-i-n-g.

GERAGOS:

GERAGOS: That e-mail is checked, does anybody send an e-mail, is there any e-mail that's sent?

WALL: I can't tell by looking at this document. I have to go to --

GERAGOS: Would you be able to, I've got 186. Were you able to tell from that if somebody actually sent an e-mail or if they just, whoever it was, actually just checked to see if there was any e-mail to see if there was any incoming?

WALL: Well, in this instance where it appears that Scott Peterson is the last recipient, it's checking e-mail.

GERAGOS: Checking e-mail. So whoever received from this document that was created?

WALL: Right.

GERAGOS: So whoever is using the computer has gone on, has checked the weather, has then, gets a forecast of some kind of, I think you said it was a five-day forecast?

WALL: That's correct.

GERAGOS: And after they get their five-day forecast, they then check, they get a scarf and umbrella stand. Maybe at that point they check the e-mail that they share with Scott Peterson, is that correct, is that a reasonable possibility as to what happened?

HARRIS: Objection, calls for speculation.

JUDGE: Sustained.

GERAGOS: You have an indication --

JUDGE: Excuse me, he said that they shared the website, but he doesn't know who's using it.

GERAGOS: They shared a website. So if she was going to check e-mail, if Laci Peterson was going to check her e-mail or check slpet.1.Com, somebody did check that e-mail; is that correct?

WALL: That's correct.

GERAGOS: Nobody sent an e-mail at that point, correct?

WALL: That would have been in response to an e-mail being sent to that location to that computer where it was viewed.

GERAGOS: On the morning of the 24th did anybody send an e-mail that you could tell?

WALL: No.

GERAGOS: All you could tell is that somebody went through all those steps that I just said, checked the weather forecast, scarf, sunflower action, the umbrella stand, they checked the e-mail and then they're off; is that correct?

WALL: That's correct.

GERAGOS: Okay. And there's nothing that would indicate who the user was, whether it was Scott or Laci, unless you did the analysis that we talked about before the break, correct?

WALL: That's correct.

GERAGOS: Okay. And if you did the analysis that we talked about before the break you could make some pretty good educated guesses as to who was actually accessing that computer, correct?

WALL: Correct.

GERAGOS: Now, the, Mr. Harris went back and was asking you about the USAfishing site, do you remember that?

WALL: Yes, I do.

GERAGOS: Is that bookmarked, do you know?

WALL: On the computer?

GERAGOS: On the computer.

WALL: I don't.

GERAGOS: Is there a way you can look and tell me if this site right here is saved as a bookmark on the computer?

WALL: I don't know if it was or not.

GERAGOS: If it was saved as a bookmark on the computer would that give you, would that, you indicated I think in response to Mr. Harris' questions that it had been saved. You thought one reasonable explanation is that it could have been saved?

WALL: That's correct, it could be saved in a variety of methods other than a bookmark.

GERAGOS: One of the methods is that it could have been saved, a reasonable method, is a bookmark?

WALL: Yes.

GERAGOS: For those of you who don't know much about it, the bookmark is you go to the site and you click on to where it says "favorites" and you just click on to where it says "add on," and that saves that particular site?

WALL: Yes, it does.

GERAGOS: Okay. And so if somebody went back to that, that bookmark and printed it, would that be an explanation for why today's headlines is December 5th and the print date is December 9th?

WALL: Yes, it is.

GERAGOS: Okay. And that would seem to explain whatever anomaly that we've been talking about here?

WALL: Yes.

GERAGOS: Okay. Now, the, Mr. Harris also asked you about this?

WALL: Correct. Yes, he did.

GERAGOS: Which is 183B, which is you're saying that the way that it would have popped up on the computer was like this as it is right now?

WALL: This is how it would appear to the user while on the computer.

GERAGOS: Okay. 6/28/2004 is because you did that on the 28th of June 2004?

WALL: That's correct.

GERAGOS: Okay. And as you sit here, do you, can you tell this jury if in fact that it looked the same way before, and this was from the USAfishing site, correct?

WALL: No, this was from the US Geological.

GERAGOS: Wasn't there a link between the USA and that?

WALL: Not that I recall, no.

GERAGOS: Did you bother to check to see if there was a link between USAfishing and US Geological?

WALL: I believe I did. I did not find one.

GERAGOS: Okay. Now this specific area here that as, I think it's on the top, SF Sports.

WALL: Yes.

GERAGOS: Okay. Would you see if that was a, one of the searches that we talked about, one of the ocean searches?

WALL: That was one of the search results that came up on one of the search results pages, yes.

GERAGOS: So doing the same thing we did on Thursday where he's putting in "boat" or "ocean" or whatever else he gets a succession of hits and he goes to one of those and it happens to be this; is that correct?

WALL: That's correct.

GERAGOS: And as we sit here, do we know how long that actually was up on the screen?

WALL: We know it was long enough to be visited on a second occasion from the zoom aspect that occurred, and I know that it occurred on at least two previous occasions that the website was refreshed because when the website is refreshed and a new map is loaded, the old website page gets deleted and sent to unallocated space and there were two references of that file found in unallocated space.

GERAGOS: Okay. And do we know what the elapsed time was?

WALL: No.

GERAGOS: And we don't know as we sit here if it was ever printed?

WALL: No.

GERAGOS: And we didn't do any, you were never requested to do any analysis as to what was printed and what was not?

WALL: No, I was not.

GERAGOS: And the only thing we know that was printed, because we found it when it was found and turned into you, was 4G, correct?

WALL: That's correct.

GERAGOS: 4G was found at the desk next to the computer, correct?

WALL: That's correct.

GERAGOS: Okay. Now I was going to ask you, you were asked some questions about what this set up was. Could you just tell me one more time what that was?

WALL: Yeah, it's a Dazzle. We talked about the Dazzle screen capture device or video, I'm sorry, image capture device that's right here. It allows the user to capture video files or still images from cameras or video recorder from a television even in some cases depending on the model.

GERAGOS: Okay. Now specifically that's the, could you point to it one more time which the unit is.

WALL: (pointing)

GERAGOS: Semi-power. Okay. Now you can return, if you want. The computer itself, or the four computers itself, was there, did you see any attempts whatsoever to try to erase information, delete information?

WALL: No, I did not.

GERAGOS: Did you see any attempts to try to wipe the hard drive?

WALL: No.

GERAGOS: Did you see any attempts whatsoever on any of the computers that indicated that they were, somebody had tried to tamper with them?

WALL: No.

GERAGOS: Is that something that you look for?

WALL: There would be obvious indications if that occurred.

GERAGOS: Now the computer that is identified as the Dell laptop home and the analysis that you did from 8:40 to -45, was there anything else, and I ask you to just step down so I don't miss anything else. Is there anything else on here that we missed from that period of time?

WALL: It's hard to look at it in this format because all you're seeing is the text that is created on the files names.

GERAGOS: Safe to say that what I led you through is exactly what happened on the 24th as far as you can tell?

WALL: Well, it's safe to say that those are the files that were created on that computer.

GERAGOS: Okay. And, basically, without repeating it, what I led you through was what happened on the morning of the 24th as indicated by the computer that was seized from the house?

WALL: Yes.

GERAGOS: May I have just one moment? Now in your report there appears that you also, you took a look at and found a, it looks like page 12 of the report. Can you tell me what that was you found. It looks like you had imported on to the screen something that you actually found; is that right?

WALL: Yes, that's an e-mail that was sent.

GERAGOS: And what day was that e-mail sent?

WALL: It appears that it was 12/26/02.

GERAGOS: Okay. Do I understand correctly, yours is the color version, which is actually more accurate, correct, because I have the, I've got a black and white copy?

WALL: Yes.

GERAGOS: Could I trade you the color to mark that. I'll give you the black and white copy.

WALL: Has that one already been marked?

GERAGOS: No, I took it out of my file. For the record, it's Bates stamp 30751.

WALL: Do you want to write it on that one?

GERAGOS: I think what I'll do is go like this, if I can. I take this and I was going to mark this next in order and have a copy of it made.

JUDGE: D 5 U. Is that a copy of the e-mail?

GERAGOS: This is, yeah. I think I'll explain it in a second. I just want to make a color copy. Can you get a, get an idea if, I'll mark this next in order.

JUDGE: Okay.

GERAGOS: Can you explain to the jury what it is you're looking at here.

WALL: This is a recovery of an e-mail sent on, I believe it's December 26th, from Guy Davidson. And something happened to the file where the image is what appears to be Laci.

GERAGOS: It looks like the top of her head.

WALL: It does. Did not completely get compiled in this document that was created. It basically says Laci Peterson. It's a "missing" poster.

GERAGOS: Okay. Do you know, was there an e-mail, was that sent as an attachment somewhere?

WALL: Yes.

GERAGOS: And where was it sent as an attachment?

WALL: It was sent from Guy Davidson and I believe it was sent to the slpete1 e-mail.

GERAGOS: Okay. Was it then forwarded somewhere that you can tell?

WALL: I don't know.

GERAGOS: And was there some indication, what page number did I tell that you was again on the Bates stamp?

WALL: 30751.

GERAGOS: Would it appear that somebody was sending that out or tell me what it was that was actually, I'll just take you through it. It was an inbound e-mail, correct?

WALL: Correct.

GERAGOS: Okay. And did it look like it was in turn forwarded somewhere else?

WALL: I don't know if it was forwarded somewhere else.

GERAGOS: Could you tell if this was sent somewhere as an attachment to Spain to the TradeCorp headquarters?

WALL: No, I don't know if that happened.

GERAGOS: Okay. Could you look to see, did you trace its, the subsequent path that this particular attachment took?

WALL: Did I trace it?

GERAGOS: Yes. Did you see if in fact it was forwarded somewhere?

WALL: No, I don't recall doing that.

GERAGOS: Okay. Let's see, this file you bookmarked, correct?

WALL: Yes, I did.

GERAGOS: Okay. And did you see, hold on just for one second. Okay. On page 14 of your report, by the way, what time did the, the one that we got up there, what time did that come into, what time was it accessed on the 26th?

WALL: 8:38 a.m.

GERAGOS: 8:38?

WALL: Yes.

GERAGOS: Then did you find on page 14 of your report, let's see, it looks like the computer use on the 26th was going from 8:27 to 9:37, correct?

WALL: Yes.

GERAGOS: On the third paragraph. Then it looks like, then you indicated that there was a new file created at 11:37 to 2:09, right?

WALL: Yes.

GERAGOS: Then you said the next created file, what was that?

WALL: I'll spell it. Capital letters, DESAPARECIDA.doc.

GERAGOS: Okay. Did that appear to you to be related on a Spanish translation of what was going on on this poster here?

WALL: That's very possible.

GERAGOS: Okay. And did it look like, and that was on the, if I got it right, the item that we've got up on the board was received on the morning of the 26th, correct?

WALL: Yes.

GERAGOS: Sometime you said, 8:38?

WALL: 8:38.

GERAGOS: And then sometime in the afternoon it looks like it's been translated into Spanish; is that right?

WALL: It appears that way, yes.

GERAGOS: Okay. Now the, did you check to see whether or not that was printed at that point or forwarded?

WALL: No, I did not.

GERAGOS: Okay. And the --

GERAGOS: Well, thank you. No further questions.

JUDGE: Any re-redirect?

HARRIS: Yes, just real briefly.

JUDGE: Are we going to mark that report as evidence?

GERAGOS: I was going to do that at the break, make a copy of it.

JUDGE: You already marked it as D 5 U?

GERAGOS: Right. You can keep that for your records.

JUDGE: Do you want that for your records?

WALL: No, I'll keep the copy.

GERAGOS: You can keep the copy. If I can get two, one to replace in the book, Marilyn.

**2nd redirect Examination by David Harris**

HARRIS: Detective, looking at page 14 of your report, going through that, what was the Internet usage on the 26th?

WALL: Specifically what type of usage was on the 26th?

HARRIS: Let me rephrase that. Maybe that was too confusing of what was going to be asked of you. When we're talking about the time that somebody's on the computer, you're not always talking about using the Internet, are we?

WALL: That's correct.

HARRIS: So when you were asked about that particular information, what is the first time that you have a file created on the 26th?

WALL: At 8:27:42 a.m. is the first recorded file on the computer.

HARRIS: And which computer is that?

WALL: It's Dell laptop home 1.

HARRIS: And in your report, looking at page 14 when you're talking about these times again, you're talking about Dell laptop home 1?

WALL: Yes.

HARRIS: And can you tell us what the time frame was on page 14 of your report that the computer was being used that day?

WALL: From 8:27 a.m. through 9:37 a.m. on Dell laptop home 1, then there was a one-hour break and a new file was created at 11:37 a.m. and it was used to 2:09 p.m. The next file that was created was the DESAPARECIDA.Doc file and that was created at 3:10 p.m.

HARRIS: Now you were asked about Laci using the slpete address, when you were going through, and counsel was asking you if you had to have a history, what's happening in the present, the information about Laci using that particular account, was that several years old?

WALL: I believe so. It was when she was communicating with Scott while he was overseas, I believe in Spain.

HARRIS: And did you see any recent usage around December of 2002 that she was using that?

WALL: Not that I recall, no.

HARRIS: And at that point in time, in December of 2002, did she have her own separate e-mail account?

WALL: Yes, she did.

HARRIS: Now you were asked about bookmarks and showed that particular graphics and Captain Hook, I want to talk about that. If you bookmark a page from the Internet, does the computer try to take you back to that exact same page?

WALL: Yes, it will.

HARRIS: And if do you that, if it's a site that updates its information, do you get the updated information?

WALL: If it's a bookmark that you've saved, it will give you exactly what you've saved.

HARRIS: Now, in this particular case, the Captain Hook Sports Fishing, do we know that that particular site was not bookmarked like you're talking about because we see access of that site with two different pages of information?

WALL: It's possible that it was done that way, but it could have also been saved to another form of media, like a floppy disk, and transferred to another computer.

HARRIS: And the information that was printed out in the document that you have a hard copy was found during the search, did you find that particular document on any other of the computers other than the Dell laptop home 1 on December 8th?

WALL: No.

HARRIS: The People have no further questions.

**2nd Recross Examination by Mark Geragos**

GERAGOS: You said that she accessed slpete1 when he was in Spain?

WALL: Yes, from the Dell work PC 4.

GERAGOS: Do you know, are you aware that he was in Spain in October of 2002?

WALL: No, I'm not aware of that.

GERAGOS: Okay. When you say that she's using that, she used the MSN account, the fact of the matter is that nobody sent anything on the 24th, correct, you didn't, you didn't see any e-mails being sent?

WALL: Not that I recall.

GERAGOS: Only saw, I think I showed it to you, I think it was marked, was somebody check the e-mail, correct?

WALL: That's correct, but it would be simple just to look.

GERAGOS: Would it be as simple to see, to do an analysis as to who's history it was that matched up with accessing on the 24th?

WALL: Yes, it's very possible just from viewing.

GERAGOS: Okay. Now the other question that Mr. Harris asked about the saving of the site by the, when you save the site, that's what's saved, correct?

WALL: That's correct.

GERAGOS: What you're looking at?

WALL: That's correct.

GERAGOS: Okay. And so you, you had indicated when he asked you that question that the other possibility is somebody put it on a disk and then put that disk into some other computer and printed it, correct?

WALL: That's correct. It would give it that date stamp of the 9th.

GERAGOS: Okay. There was, there were disks that were recovered during the search warrant, right?

WALL: Yes, I believe there were.

GERAGOS: Did you find that saved to a disk anywhere, that site?

WALL: I did not.

GERAGOS: Okay. Obviously that would have been something that law enforcement was interested in, isn't it?

WALL: Yes.

GERAGOS: Okay. And it wasn't there so the possibility he just suggested, there's no evidence for that, is there?

WALL: Not that I analyzed.

GERAGOS: Okay. The fact is you analyzed it the way that I hypothesized it is the way that you think it's what happened, correct?

WALL: It's very possible it was printed out in any number of locations. It could have been at home or at the shop.

GERAGOS: Thank you. I have no further, Off of a bookmark, is that correct, or some save?

WALL: Correct.

GERAGOS: Thank you. I have no further questions.

JUDGE: May this witness be excused subject to recall?

GERAGOS: Yes.

DISTASO: No objection.