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**PRESS RELEASE**

**For Immediate Release**

**For More Information Contact:**

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Wendell Emerson, Public Information Liaison

Re: Update on Scott Peterson's Latest Attempt at  
Post-Conviction Relief

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**Court Delivers Final Blow To Scott Peterson's Latest  
Attempt To Escape Justice**

*An Undisclosed 2004 Court Transcript Just Unraveled 20 Years of  
Peterson's Defense Strategy*

*The Court Admonishes Defense Team for Skirting Precariously Close to a Violation of  
Counsel's Ethical Duty of Candor to the Tribunal*



**MODESTO, California** — Over twenty-three years after Scott Peterson murdered his pregnant wife Laci and their unborn son Conner, a San Mateo County Superior Court judge has delivered a resounding answer to Peterson's latest bid for freedom. On April 27, 2026, the Honorable Elizabeth M. Hill denied Peterson's Third Petition for Writ of Habeas Corpus in its entirety, rejecting every single one of his 14 claims.

“As a prosecutor, conviction integrity is critical to me,” said Jeff Laugero, Stanislaus County District Attorney, “and the appellate process is crucial to the integrity of the criminal justice system. Here, once again, the process worked. Judge Hill recognized the most recent attempt to undo the jury’s verdict for what it was – nothing more than recycled, repackaged and rebranded arguments. No credible “new evidence” was presented, and I found the real bombshell to be the unsealing of a transcript that contradicted the claims Peterson has made for years attempting to discredit law enforcement, the investigation and the prosecution. Peterson’s 2004 conviction has been upheld through two decades of post-conviction litigation and again with this ruling in 2026. Laci, Conner and their family deserve the finality that justice promised them.”

Peterson’s Third Petition, filed in August 2025, asserted 14 claims, including a claim of actual innocence, recycling arguments that courts have rejected at every level since his conviction in 2004. District Attorney Jeff Laugero assembled a prosecution team that included two prosecutors from the original trial team - former District Attorney Birgit Fladager and Assistant District Attorney Dave Harris - both returning from retirement, along with Deputy District Attorneys Victoria Vasquez and Ahnna Reicks. The prosecution team responded to each of the defense pleadings, pointing the court’s attention to the actual facts and evidence. The judge requested an Informal Response from the People. In a comprehensive 903-page response, the prosecution systematically presented each rationale for the court's dismissal of the claims and dismantled Peterson’s claims one by one with the facts and evidence.

### [People’s Informal Response](#)

## **COURT DECISIONS**

In a 116-page Order that was clear and decisive, Judge Hill meticulously reviewed and found all of Peterson’s claims were either procedurally barred, lacked merit or both. A claim is procedurally barred when it was raised before and rejected by a higher court or it could and/or should have been brought forth earlier and the petitioner failed to do so. The claims she did reach on the merits fared no better. In her own words:

*“Much of what Petitioner pleads now is neither new, admissible nor material... the court remains unpersuaded that Petitioner has stated a prima facie case for relief on the basis of actual innocence.”*

— *Hon. Elizabeth M. Hill, Order Denying Third Petition, April 27, 2026 p 115*

## **All of Peterson’s Claims Failed to Demonstrate a Miscarriage of Justice**

Judge Hill found that all of Peterson's claims, taken individually or together, fell far short of proving actual innocence.

- 1) Peterson’s theories about the Medina burglars and the number of them kept expanding and was speculative, at best.
- 2) Peterson’s own statements, proffered evidence and his eyewitness accounts regarding Laci’s morning walk and the clothes she was wearing were found to be inconsistent with the condition of Laci's remains, in conflict with the evidence and likely untrue.
- 3) Peterson’s claim that Laci knew about the boat was presented at trial and not new evidence.
- 4) Peterson’s accusations that police and prosecutors either intentionally or in bad faith destroyed or withheld various pieces of evidence were either procedurally barred, immaterial or without merit.

Whether considered separately or cumulatively, the court ultimately found that all of Peterson's claims as pled failed to undermine the prosecution's entire case or point to his innocence as he claimed and therefore failed to demonstrate any miscarriage of justice.

### **Claims Against the Prosecution's Expert Witnesses were Rejected as Recycled Arguments**

Peterson's claim of "new evidence" collapsed under scrutiny. The court concluded that Peterson's first three claims had been previously raised and rejected on the merits by the California Supreme Court and therefore were procedurally barred from consideration. The claims included the prosecution's expert testimony relating to: (1) Conner's gestational date of death, (2) the trajectory of the bodies coming to shore; and (3) a search and rescue volunteer whose tracking dog Trimble detected Laci's scent at the Berkeley Marina on December 28, 2002.

### **Actual Innocence Claim Rejected: Court Catalogues Evidence of Guilt**

In rejecting Peterson's actual innocence claim, Judge Hill catalogued the evidence Peterson had tried to downplay: a hair consistent with Laci's mother's mitochondrial DNA found clamped in the jaws of pliers inside his fishing boat; concrete debris in his boat cover matching both his homemade anchor and his warehouse workbench; his direct lies to police about his affair with Amber Frey; and a recording in his own voice admitting that weeks before Laci vanished, Peterson told Frey he had "lost his wife" and that it would be his "first holiday without her." Hill's decision referenced the factual findings found in the 2020 California Supreme Court's determination that there was considerable other circumstantial evidence that incriminated Peterson. (See the Supreme Court decision at *People v. Peterson* (2020) 10 Cal.5th 409, 452-453)

The court also rejected Peterson's claim that he was convicted for who he was rather than what he did:

*"Not so. His statements predicting Laci's disappearance were powerful evidence of pre-planning, and his lies about the existence of the affair during the police investigation evidence of consciousness of guilt... He made the 'first holiday without her' statement to Frey on the same day he purchased the boat."*

— *Hon. Elizabeth M. Hill, Order at p. 47*

See the Order for all the details and factual findings contained in Judge Hill's ruling denying Peterson's Third Petition.

[Order Denying Third Petition, April 27, 2026](#)

### **Defense Accused the People of Suppressing Evidence. Unsealed Meeting With Judge Contradicts Peterson's Allegations**

Judge Hill unsealed a transcript of an in-chambers meeting Peterson and his attorneys had with the trial judge. Although Peterson, his defense attorneys Mark Geragos and Pat Harris and his defense investigator were present, the District Attorney's Office had been excluded from the in-chamber's meeting. The People were unaware of the content of the conversation and did not have legal access to the information disclosed during the *ex parte* conversation until Judge Hill ordered the transcript unsealed on March 25, 2026.

**Aponte Tip:** The transcript disclosed that Peterson's defense team contradicted claims Peterson and his attorneys made in their February 2005 Motion for New Trial regarding the Aponte tip. This tip concerned

a report from Lieutenant Aponte, a California state prison correctional officer, relating to an inmate discussing Laci's disappearance and the burglary. In that 2005 motion, the defense claimed they had no knowledge of the Aponte tip until late October 2004 after they interviewed a completely different inmate in the Stanislaus County jail. The transcript tells a very different story. During that meeting, Peterson's own investigator told the judge that he had already spoken directly with Lt. Aponte and had been actively working to track the tip down. In other words, the defense was not only aware of the tip before they claimed to be, and their investigator was also already deep into following it up, in person, while simultaneously and subsequently telling the court they knew nothing about it.

**Croton Watch:** During the missing person investigation, Peterson claimed that Laci could have been taken for her jewelry. The police followed up and determined that Laci's only unaccounted jewelry was a pair of diamond earrings and a non-functioning diamond-encrusted Croton watch. Police found only one Croton watch pawned a week after Laci's disappearance, but it did not match the description of Laci's watch. In his current petition, Peterson told the court that Laci was wearing the Croton watch with the dead battery the day she went missing. He alleged that the police secretly investigated a woman's pawned Croton watch, while the prosecution destroyed, withheld and suppressed information about it. However, according to police reports, both the woman and her boyfriend stated that a private investigator hired by Peterson visited their residence between late February and early March 2003. During this visit, the woman provided the defense investigator with the pawn ticket necessary to redeem the watch. The unsealed transcript confirmed that Peterson and his defense team were in actual possession of this February 14th pawn ticket and attempted to redeem the Croton watch in question. In the court's ruling, Judge Hill admonished Peterson and his current defense team for omitting these relevant facts.

On the pawn slip issue, she issued her second admonishment:

*"The court is troubled by the verified petition's failure to assert forthrightly all of the facts relevant to the determination of who acquired the pawn ticket and explain the statements of counsel claiming to have acquired it themselves. Once again, the petition treads unsettlingly close to the bounds of permissible advocacy under Rule 3.3 of the Rules of Professional Conduct."*

— Hon. Elizabeth M. Hill, Order at p. 78

### **Transcript Showed Peterson's Burglary and Van Theory Was Not New Evidence**

The October 2004 transcript also contained a conversation in which defense counsel recounted their third-party culpability theory that the burglary occurred on Christmas Eve and that the burglars were responsible, incorporating a tipster's van sighting and the timing based on the mail sticking out of the mailbox. These were many of the same things the jury heard during trial and rejected but which Peterson claimed was new evidence in his post-conviction motions and petitions.

Rule 3.3 of the California Rules of Professional Conduct governs attorney honesty and candor toward the court. An admonishment that a sworn filing has come close to violating it, issued twice in the same ruling, is among the most serious rebukes a judge can deliver short of an outright sanctions order. The defense team that spent years accusing law enforcement of hiding evidence was itself hiding evidence.

[Court Order Unsealing Transcript, March 25, 2026](#)

### **Fourth Request for DNA Testing Denied**

Judge Hill denied Peterson's fourth request for DNA Testing. Peterson's 2025 motion asked for the exact same items the court had previously denied in 2024 to be tested and claimed his motion was based on "new evidence." The People's opposition explained why the motion was procedurally barred, deficient and lacked merit. The court made several factual findings including, but not limited to, noting all the inconsistencies relating to the various reports of van sightings and the defense's Bay theories. The allotted time has passed for Peterson to contest the court's ruling.

[People's Opposition to 2025 Request for DNA Testing  
Court Order Denying 2025 Request for DNA Testing, April 2, 2026](#)

### **Withdrawal of Third Motion for Post-Conviction Discovery**

On January 5, 2026, Peterson filed his Third Motion for Post-Conviction Discovery, seeking approximately 230 items, several of which had already been rejected by the court. The motion was made possible in part by a recently amended California statute that broadly expanded the definition of "discovery materials," opening the door for convicted felons to file repeated post-conviction discovery motions and relitigate final judgments indefinitely. This could pose serious issues for victims and their families all across the state. Peterson's defense team demanded a hearing on the motion on April 14, 2026. However, after his petition for Writ of Habeas Corpus was denied, Peterson withdrew the discovery motion before the scheduled May 6 hearing and the court vacated the date. The prosecution team was fully prepared to challenge both the motion itself and the constitutionality of the amended statute had the hearing proceeded. Refer to the People's Opposition to PC §1054.9 for complete details.

[People's Opposition to 2026 Request for Post-Conviction Discovery](#)

### **After Two Decades, a Family's Right to Closure Still Resonates**

For over two decades, Laci and Conner's family has been forced to relive their grief each time Peterson submits new filings. Laci's mother, Sharon Rocha, has sat through years of post-conviction hearings. Two years ago, she addressed the court through a letter and asked simply: "When will this end?" California's Constitution, through Marsy's Law, Article I, §28(b)(9), guarantees crime victims' families the right to "a prompt and final conclusion of the case." That promise moves meaningfully closer to fulfillment today.

Deputy District Attorney Ahnna Reicks stated: "Judge Hill's rulings demonstrate that the court carefully and thoughtfully evaluated all of Peterson's allegations and compared that against the entire trial record, appeal, and earlier petition. We know this undertaking was not easy because the record and filings in this case are extensive. The court arrived at an appropriate and correct decision. It is our hope that the family and friends of Laci and Conner will finally receive the closure they deserve. The entire prosecution team would also like to express our appreciation to District Attorney Jeff Laugero for his foresight in establishing and supporting this team and his consistent, unwavering support. We are also grateful to the Modesto Police Department and the California Department of Justice Bureau of Forensic Science for their continued assistance throughout this very lengthy process."

### **One Pending Matter**

One matter remains pending before the California Supreme Court: Peterson's appeal of a 2025 ruling on his second habeas petition concerning the Juror 7 bias claim. His current defense team has vowed to challenge Judge Hill's April 27 ruling as well. The Stanislaus County District Attorney's Office remains

steadfast that the evidence presented at trial proves beyond a reasonable doubt that Scott Peterson murdered Laci and Conner Peterson.

## **CASE BACKGROUND**

On November 11, 2004, a jury convicted Scott Lee Peterson of two counts of murder for intentionally, deliberately, and with premeditation killing his wife Laci Denise Peterson, who was then eight months pregnant with their child Conner. Laci's family reported her missing on Christmas Eve 2002 and, along with multiple law enforcement agencies, searched tirelessly for Laci and Conner for the next three and a half months. After a major storm, Laci's remains were discovered on April 14, 2003, along the shoreline of San Francisco Bay just north of the Berkeley Marina, near to where Conner's remains had been found the previous day. During trial, the jury heard and rejected Peterson's claim of third-party culpability, in which he blamed Laci's and Conner's deaths on burglars, sex offenders, the homeless, and others. The California Supreme Court upheld the convictions in 2020.

Since his conviction, Peterson has filed a motion for a new trial, a direct appeal, three Petitions for Writ of Habeas Corpus, four requests for post-conviction DNA testing, and three motions for post-conviction discovery. Each attempt has failed.

In April 2025, Peterson amended his second Petition for Writ of Habeas Corpus, adding claims of new evidence and actual innocence. In May 2025, the First District Court of Appeal severed those claims and directed him to refile them in the trial court. Peterson filed his Third Petition for Writ of Habeas Corpus in San Mateo County Superior Court on August 4, 2025, asserting 14 claims and several subclaims. Most had been previously raised in his appeal or prior petitions, including challenges to the prosecution's expert testimony on (1) Conner's gestational date of death, (2) the trajectory of the bodies coming ashore, and (3) a search-and-rescue volunteer whose tracking dog detected Laci's scent at the Berkeley Marina on December 28, 2002. Peterson also raised multiple ineffective assistance of counsel claims related to witnesses reporting Laci and van sightings, the Medina burglary investigation, and the Aponte tip.

All of these claims had been previously reviewed and rejected by the California Supreme Court when it upheld Peterson's convictions in 2020. That court found that even setting aside the dog-scent evidence entirely, the remaining circumstantial evidence against Peterson was overwhelming, including that Laci's and Conner's bodies washed ashore near where Peterson admitted he had been fishing the day they disappeared; research he had conducted on bay currents in the weeks before Laci vanished; a fishing boat he purchased but told no one about; his inability to explain what he was fishing for; his repeated surreptitious trips to the marina after her disappearance; and the steps he took in the weeks that followed, including selling her car, exploring a sale of the house, and converting the nursery into storage, all of which indicated he already knew Laci and Conner were never coming home.

For a complete summary of Peterson's post-conviction motions through 2024, see the District Attorney's Press Release dated October 15, 2024, available at: <https://www.stanislaus-da.org/pdf/news/2024/press-release-10-16-2024-petersons.pdf>

Under current law, the District Attorney's Office cannot provide copies of court reporter transcripts. To obtain a copy of this unsealed transcript, 106 RT 19996 –19711, requests can be made through the San Mateo County Superior Court by contacting the court by email: [transcripts@sanmateocourt.org](mailto:transcripts@sanmateocourt.org) or in person or by mail: Superior Court of California, County of San Mateo, Attn: Court Reporter Supervisor, 400 County Center, 2<sup>nd</sup> Floor, Redwood

City, CA 94063. Here is the link to the court's Court Reporter Transcripts information page: <https://sanmateo.courts.ca.gov/divisions/court-reporter-transcripts>.

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