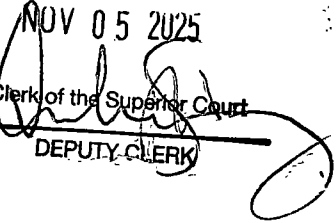


FILED
SAN MATEO COUNTY

NOV 05 2025
Clerk of the Superior Court
By 
DEPUTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

PEOPLE OF THE STATE OF CALIFORNIA,	) Case No. SC055500A
Plaintiff,	) Related cases:
vs.	) Supreme Court No. S132449
	) Court of Appeal No A167615
SCOTT LEE PETERSON,	) ORDER ON DEFENDANT'S MOTION
Defendant	) TO FILE UNREDACTED
	) EXHIBITS IN SUPPORT OF
	) HABEAS PETITION UNDER SEAL
	) PURSUANT TO RULES 2.550 AND
	) 2.551; PEOPLE'S MOTION TO
	) STRIKE

On August 4, 2025, Defendant/Petitioner filed a verified Petition for Writ of Habeas Corpus and eight volumes of accompanying exhibits. Concurrent with the petition, he also filed a motion to file unredacted exhibits under seal pursuant to California Rules of Court 2.550 and 2.551. The People filed a written opposition to the motion to seal on September 2, 2025. Defendant filed a notice of errata and reply to the People's opposition on September 3, 2025. The People filed a reply to the notice of errata and motion to strike on September 5, 2025, and Defendant filed a reply and opposition to the motion to strike on September 20, 2025. The court read and considered each of the

1 foregoing pleadings and makes the following findings and orders on
2 Petitioner's motion to file unredacted exhibits under seal.

3 **I. LEGAL STANDARD**

4 California Rules of Court 2.550 and 2.551 set forth the
5 requirements for filing documents under seal. The court may not
6 seal documents filed in a case by stipulation of the parties, and
7 is required to make express factual findings specifically
8 articulating the reasons for sealing any documents or portions of
9 documents. The court may only seal records if it finds the
10 following five facts:

- 11 1) There exists an overriding interest that overcomes the right
12 of public access to the record;
- 13 2) The overriding interest supports sealing the record
- 14 3) A substantial probability exists that the overriding interest
15 will be prejudiced if the report is not sealed
- 16 4) The proposed sealing is narrowly tailored
- 17 5) No less restrictive means exist to achieve the overriding
18 interest.

19 **II. FINDINGS REGARDING SPECIFIC EXHIBITS**

20 Petitioner seeks to file under seal redacted versions of ten
21 exhibits submitted in support of his petition for habeas corpus
22 filed on August 4, 2025. He has lodged both redacted versions of
23 the proposed sealed exhibits for filing in the public record, and
24 unredacted versions of the exhibits with the court in support of
25 his motion to seal. The court has reviewed the unredacted
26 exhibits. The court summarizes its findings as to each of the ten
27 exhibits below.

1 **A. Exhibit 2**

2 **1. Modesto Hardcore Skinheads section**

3 Exhibit 2 is the 23-page declaration of Danielle Leaf, the
4 DNA case coordinator for the Los Angeles Innocence Project. The
5 declaration generally summarizes various investigative steps taken
6 by Petitioner's counsel in its efforts to prepare the habeas
7 corpus petition. It consists of titled subsections and numbered
8 paragraphs. The first proposed material to be filed under seal
9 appears in the section entitled "Modesto Hardcore Skinheads"
10 appearing on pages 9-12 of the declaration. As to those pages,
11 the court finds that there is an overriding interest in sealing
12 the proposed redacted material that overcomes the right of public
13 access to the record. This section of the declaration concerns
14 information provided by an incarcerated potential habeas corpus
15 witness who describes providing information to both law
16 enforcement and defense investigators concerning jailhouse
17 conversations of other prison inmates who claimed to be gang
18 members and claimed to have information regarding the murder of
19 Laci and Conner Peterson. In an unredacted portion of Exhibit 49,
20 the witness avers that he is presently incarcerated in a "50/50
21 yard where half the people are gang members and half are
22 dropouts." Exhibit 49 also identifies at least one inmate housed
23 on the witness's present yard as a member of the gang implicated
24 in criminal activity by the information the witness includes in
25 his declaration. The witness has an overriding interest in
26 protecting his identity from the public, because it is well known
27 that various prison gangs engage in acts of retaliation against
28 inmates who identify gang members involved in crime or cooperate

1 with law enforcement. See, e.g., People v. Merriman (2014) 60
2 Cal.4th 1, 28-29. His present status on a prison housing unit with
3 inmates who are gang members, including at least one member of the
4 gang about whom he provided information, would pose an
5 unreasonable risk to his safety if his identity is made known to
6 the public. That overriding interests supports sealing the
7 record. The court finds that the unusually high public profile of
8 this case creates a substantial probability that the witness's
9 interest in protecting his physical safety and avoiding potential
10 retaliation by gang members will be prejudiced if the record is
11 not sealed. The redactions proposed to this section of the
12 declaration are narrowly tailored - they are limited to the name
13 of the witness, the names of the inmates to whom that witness
14 spoke, photographs of those inmates, and the names of various
15 family members of the inmates discovered in public records
16 searches whose connections to the inmates would tend to reveal
17 their identities. Revealing the identities of the inmates to whom
18 the witness spoke would necessarily tend to reveal the identity of
19 the witness. The court finds that the proposed sealing is
20 narrowly tailored to the protection of the witness's overriding
21 interest, and that no less restrictive means exist to achieve that
22 interest. The court grants the request to seal the materials as
23 requested in the lodged proposed public filings appearing on pages
24 9-12.

25 **2. Section with proposed redaction to title, pp. 13-14**

26 The title of this section is the name of a potential witness
27 who allegedly overheard other people discussing the Medina
28 burglary in late December 2002 or January 2003. The witness

1 executed a declaration (Exhibit 4) naming some of the participants
2 overheard and alleging that they admitted that Laci Peterson
3 interrupted the Medina burglary. Exhibit 4 does not allege that
4 the witness overheard any person admit to harming Laci Peterson,
5 only telling her to "go home" when she allegedly confronted them
6 about the burglary. The witness does not allege any personal
7 knowledge of the Medina burglary. In the declaration, this
8 witness does not express any fear about coming forward, about
9 retaliation by law enforcement, or about retaliation by any of the
10 individuals discussed in Exhibit 4.

11 Petitioner's motion asserts the following overriding interest
12 in sealing this material: 1) some of the witnesses who have come
13 forward with information about how events unfolded in this case
14 expressed either fear about having their names made public or
15 concerns for their safety; 2) some of the witnesses may be needed
16 for an evidentiary hearing; 3) the exhibits contain the names of
17 possible suspects; 4) it is in the overriding interest of justice
18 for the identities of third-party culpability witnesses and
19 suspects to be sealed because unsealing identities of witnesses
20 and suspects can compromise the integrity of the investigation
21 given the high-profile nature of the case.

22 As noted, reason 1) does not apply to this witness. The fact
23 that the witness may testify at an evidentiary hearing if the
24 court makes an order to show cause is not by itself a reason to
25 seal the witness's identity. Petitioner's motion acknowledges
26 that "the identity of witnesses is generally not subject to
27 sealing." While the case is unusually high profile, Petitioner's
28 motion contains no allegation that his counsel or their

1 investigative staff has made any effort to contact the witnesses
2 overheard by the declarant of Exhibit 4, or that any revelation of
3 their identities would impact their willingness to be interviewed
4 or called as witnesses. There is no allegation of how revealing
5 the identities of the persons overheard in the discussion could
6 possibly lead to the destruction of any potentially available
7 physical or documentary evidence, and that possibility seems
8 remote given the witness's delay in coming forward and the age of
9 the case. Much of the proposed redacted material in this exhibit
10 consists of materials located by open-source internet searches
11 that is otherwise publicly available. The court does not find
12 that Petitioner has presented an overriding interest in sealing
13 this portion of Exhibit 2. The motion to seal the material
14 redacted from page 13, line 1 to page 14, line 18 is denied.

15 **3. Orange CalTrans Van section**

16 The proposed redactions from this section are all material
17 found on open-source internet searches, some of which occurred
18 more than ten years ago. Petitioner does not allege that he has
19 interviewed any of the persons whose names are proposed to be
20 redacted, or that any of them have asserted that they have any
21 personal knowledge or hearsay information about the murders of
22 Laci and Conner Peterson. None of Petitioner's asserted reasons
23 for sealing appear to apply to this material, since none of the
24 named individuals are neither anticipated witnesses nor third-
25 party culpability suspects. The motion to seal the material
26 redacted in this section of Exhibit 2 is denied.

27 **4. America's Most Wanted Tip section**

28

1 Petitioner proposes the redaction of an individual's name
2 from this section. The source of the name is a publicly available
3 newspaper article from 1999, cited unredacted and reproduced with
4 the proposed sealed name unredacted in Exhibit 7. Petitioner does
5 not allege that he has interviewed the person whose name is
6 proposed to be redacted or that the person has asserted having any
7 knowledge, personal or hearsay, about the murders of Laci and
8 Conner Peterson. Petitioner does not allege that the individual
9 named is a third-party culpability suspect. None of Petitioner's
10 asserted reasons for sealing apply to this information. The
11 request to seal the material in this portion of Exhibit 2 is
12 denied.

13 **5. Deanna Renfro and the Croton Watch section**

14 The information Petitioner seeks to seal in this section was
15 obtained by open source internet searches. Petitioner has not
16 alleged that he has interviewed any of the persons whose names he
17 seeks to seal. He has not identified any of them as third party
18 suspects or witnesses to any material information related to the
19 murders of Laci and Conner Peterson. Some of the proposed
20 material obtained by open source Internet search is over a decade
21 old. None of Petitioner's asserted overriding interests for
22 sealing apply to this material. The request to seal the material
23 in this portion of Exhibit 2 is denied.

24 **6. The Tenbrink and Cousins section**

25 With the exception of material in paragraph 112, the
26 information Petitioner seeks to seal in this section was obtained
27 by either open source or paid background check searches. The
28 exhibit cites, unredacted, to a court case with a publicly

1 accessible written opinion naming all of the individuals whose
2 identities he seeks to seal. Petitioner has not alleged that he
3 has interviewed any of the persons whose names he seeks to seal.
4 He has not identified any of them as third party suspects or
5 witnesses to any material information related to the murders of
6 Laci and Conner Peterson. Paragraph 112 alleges that one of the
7 individuals discussed the Laci Peterson case on a recorded jail
8 call in May 2003, and references Bates material allegedly
9 contained in Exhibit 2A. The court reviewed the entirety of
10 Exhibit 2A and was unable to locate the Bates pages referenced, or
11 any narrative description of the phone call describing what aspect
12 of the Peterson case was discussed. Some of the proposed material
13 obtained by open source Internet search is over a decade old.
14 None of Petitioner's asserted overriding interests for sealing
15 apply to this material. The request to seal the material in this
16 portion of Exhibit 2 is denied.

17 **B. Exhibit 2E**

18 The motion seeks to redact a printout of material obtained by
19 use of a social media networking site more than a decade ago. Of
20 the names that appear on the exhibit, only two have been alleged
21 to have any connection to the defense investigation. One is a
22 person who allegedly spoke to James Romano, who claimed to have
23 information about Laci Peterson's missing Croton watch and who is
24 named unredacted in Exhibit 24. Another is a person named in
25 other unredacted defense declarations as having been potentially
26 involved in the Medina burglary. Petitioner has not alleged that
27 either of them has expressed any fear of coming forward or fear of
28 retaliation of any kind. The first person is neither a third-

1 party culpability suspect nor is the person alleged to be a
2 percipient witness to the Medina burglary. None of Petitioner's
3 asserted overriding interests for sealing apply to this material.
4 The request to seal the material in this portion of Exhibit 2E is
5 denied.

6 **C. Exhibit 4**

7 As described above, this item is a witness declaration from a
8 person who is neither alleged to be a third-party culpability
9 suspect, nor a percipient witness to the Medina burglary. The
10 witness asserts having overheard a conversation between other
11 individuals admitting involvement in the Medina burglary and
12 encountering Laci Peterson. The witness asserts no fear of
13 retaliation, and the declaration indicates that they no longer
14 live in California. Petitioner's motion contains no allegation
15 that his counsel or their investigative staff has made any effort
16 to contact the witnesses overheard by the declarant of Exhibit 4,
17 or that any revelation of their identities would impact their
18 willingness to be interviewed or called as witnesses. There is no
19 allegation of how revealing the identities of the persons
20 overheard in the discussion could possibly lead to the destruction
21 of any potentially available physical or documentary evidence, and
22 that possibility seems remote given the witness's delay in coming
23 forward and the age of the case. Much of the proposed redacted
24 material in this exhibit consists of materials located by open-
25 source internet searches that is otherwise publicly available.
26 The court does not find that Petitioner has presented an
27 overriding interest in sealing the proposed redacted portion of
28 Exhibit 4.

1 **D. Exhibit 30**

2 Petitioner seeks to seal the identity of a witness who claims
3 to have seen Laci Peterson walking her dog after 10:30 AM on
4 December 24, 2002. The witness alleges no fear of coming forward
5 and no fear of retaliation by anyone. The declaration does not
6 name any third-party culpability suspect or witness. None of
7 Petitioner's asserted overriding interests for sealing apply to
8 this material. The request to seal the proposed redacted material
9 in Exhibit 30 is denied.

10 **E. Exhibit 31**

11 Petitioner seeks to seal the name of a person identified by
12 other declarations as an alleged third-party culpability suspect
13 or accomplice who other witnesses claim assisted in Medina
14 burglary. In both the unredacted portion of the declaration and
15 an interview summarized in the declaration of defense investigator
16 Jason DeWitt, the witness denies participation in the Medina
17 burglary, but disputes the prosecution's timeline of the burglary.
18 The witness alleges fear of retaliation by the Modesto Police
19 Department for providing potentially exculpatory information.
20 Defense investigator Jason DeWitt's declaration describes
21 interviewing the witness. DeWitt states that the witness also
22 expressed fear of the Tenbrink family. Even if the witness's
23 expressed fears are not well-founded, they provides an evidentiary
24 basis for Petitioner's assertion that revelation of the witness's
25 identity might compromise Petitioner's eventual ability to produce
26 the witness in court should an order to show cause be granted.
27 The court finds that Petitioner has demonstrated an overriding
28 interest in sealing the name and signature of the witness that

1 outweighs the public's right of access to the record. The
2 overriding interest supports sealing the record. A substantial
3 probability exists that Petitioner's overriding interest in being
4 able to produce the witness will be prejudiced if the material is
5 not sealed. The proposed sealing is narrowly tailored, and no
6 less restrictive means exist to achieve the overriding interest.
7 The court grants Petitioner's motion to seal the redacted portions
8 of Exhibit 31.

9 **F. Exhibit 44**

10 Petitioner seeks to seal the identity of the declarant in
11 this exhibit, which describes hearsay conversations with his now-
12 deceased former co-worker Danny Chapman. The declaration states
13 that Chapman told the witness that Chapman's unidentified former
14 cellmate confessed to being an accomplice to the Medina burglary,
15 that Laci Peterson had interrupted that burglary, and that one of
16 the burglary participants had grabbed her, thrown her into a white
17 van, hit her over the head with a rock, and later burned the van.
18 The witness expresses no fear of retaliation by anyone, nor any
19 reluctance to share the information. The witness indicates that
20 he has twice before contacted members of Petitioner's legal team
21 in 2017 and in 2019. None of Petitioner's asserted overriding
22 interests for sealing apply to this material. The request to seal
23 the material in this Exhibit 44 is denied.

24 **G. Exhibit 45**

25 The declaration contains information from a witness who
26 claims to have heard a former boyfriend bragging about his
27 involvement in the murders of Laci and Conner Peterson. In other
28 materials submitted earlier in the proceedings, the named

1 individual has denied any such involvement. The court finds that
2 the named person has an overriding interest in not being publicly
3 accused of being an accomplice to murder at this stage of the
4 proceedings, before the court has ruled on whether Petitioner has
5 demonstrated a prima facie case for issuance of an order to show
6 cause. That overriding interest overcomes the public's right of
7 access to the record and supports sealing the record of the
8 individual's identity. Given the continuing public interest in
9 the case, there is a substantial probability that the witness's
10 interest will be prejudiced if the record is not sealed. The
11 proposed redaction is narrowly tailored - seeking to seal the name
12 of the accused individual and the name of the declarant, which
13 might tend to identify the person accused. No less restrictive
14 means exist to protect the overriding interest. The court grants
15 Petitioner's motion to seal the redacted portions of Exhibit 45.

16 **H. Exhibit 46**

17 The declaration contains information from a witness who
18 claims to have heard a person discussing being an accomplice in
19 the Medina burglary and murders of Laci and Conner Peterson. In
20 other materials submitted earlier in the proceedings, the named
21 individual has denied any such involvement. The court finds that
22 the named person has an overriding interest in not being publicly
23 accused of being an accomplice to murder at this stage of the
24 proceedings, before the court has ruled on whether Petitioner has
25 demonstrated a prima facie case for issuance of an order to show
26 cause. That overriding interest overcomes the public's right of
27 access to the record and supports sealing the record of the
28 individual's identity. Given the continuing public interest in

1 the case, there is a substantial probability that the witness's
2 interest will be prejudiced if the record is not sealed. The
3 proposed redaction is narrowly tailored - seeking to seal the name
4 of the accused individual and the name of the declarant, which
5 might tend to identify the person accused. No less restrictive
6 means exist to protect the overriding interest. The court grants
7 Petitioner's motion to seal the redacted portions of Exhibit 46.

8 **I. Exhibit 47**

9 The declaration contains information from a witness who
10 claims to have heard a person discussing being an accomplice in
11 the Medina burglary and murders of Laci and Conner Peterson. In
12 other materials submitted earlier in the proceedings, the named
13 individual has denied any such involvement. The court finds that
14 the named person has an overriding interest in not being publicly
15 accused of being an accomplice to murder at this stage of the
16 proceedings, before the court has ruled on whether Petitioner has
17 demonstrated a prima facie case for issuance of an order to show
18 cause. That overriding interest overcomes the public's right of
19 access to the record and supports sealing the record of the
20 individual's identity. Given the continuing public interest in
21 the case, there is a substantial probability that the witness's
22 interest will be prejudiced if the record is not sealed. The
23 proposed redaction is narrowly tailored - seeking to seal the name
24 of the accused individual and the name of the declarant, which
25 might tend to identify the person accused. No less restrictive
26 means exist to protect the overriding interest. The court grants
27 Petitioner's motion to seal the redacted portions of Exhibit 47.

28 **J. Exhibit 49**

1 The court finds that there is an overriding interest in
2 sealing the proposed redacted material that overcomes the right of
3 public access to the record. This declaration concerns
4 information provided by an incarcerated potential habeas corpus
5 witness who describes providing information to both law
6 enforcement and defense investigators concerning jailhouse
7 conversations of other prison inmates who claimed to be gang
8 members and claimed to have information regarding the murder of
9 Laci and Conner Peterson. In an unredacted portion of Exhibit 49,
10 the witness avers that he is presently incarcerated in a "50/50
11 yard where half the people are gang members and half are
12 dropouts." Exhibit 49 also identifies at least one inmate housed
13 on the witness's present yard as a member of the gang implicated
14 in criminal activity by the information the witness includes in
15 his declaration. The witness has an overriding interest in
16 protecting his identity from public disclosure, because it is well
17 known that various prison gangs engage in acts of retaliation
18 against inmates who identify gang members involved in crime or
19 cooperate with law enforcement. See, e.g., People v. Merriman
20 (2014) 60 Cal.4th 1, 28-29. His present status on a prison housing
21 unit with inmates who are gang members, including at least one
22 member of the gang about whom he provided information, would pose
23 an unreasonable risk to his safety if his identity is made known
24 to the public. That overriding interests supports sealing the
25 record. The court finds that the unusually high public profile of
26 this case creates a substantial probability that the witness's
27 interest in protecting his physical safety and avoiding potential
28 retaliation by gang members will be prejudiced if the record is

1 not sealed. The redactions proposed to this section of the
2 declaration are narrowly tailored - they are limited to the name
3 of the witness, the names of the inmates to whom that witness
4 spoke, photographs of those inmates, and the names of various
5 family members of the inmates discovered in public records
6 searches whose connections to the inmates would tend to reveal
7 their identities. Revealing the identities of the inmates to whom
8 the witness spoke would necessarily tend to reveal the identity of
9 the witness. The court finds that the proposed sealing is
10 narrowly tailored to the protection of the witness's overriding
11 interest, and that no less restrictive means exist to achieve that
12 interest. The court grants the request to seal the materials as
13 requested in the lodged proposed public filings appearing on pages
14 9-12.

15 **III. PEOPLE'S MOTION TO STRIKE**

16 The People asserted motions to strike in their opposition
17 pleadings filed September 2, 2025 and September 5, 2025. The
18 Court rules on those motions as follows. The Court denies the
19 September 2, 2025 motion to strike Exhibit 4 based on the lack of
20 a signature. Petitioner submitted a corrected, signed version of
21 the exhibit in his notice of errata. The Court denies as
22 premature the People's request to order Petitioner to provide
23 complete unredacted copies of Exhibits 43, 46, 47, and exhibits H-
24 1, H-2, H-3, H-4, and I-1 without prejudice to renewal of those
25 objections in the informal response that the Court is ordering
26 concurrent with this ruling on the motion to seal. The Respondent
27 filing the requested informal response may assert any objections
28

1 to evidence submitted in connection with the Petition in the
2 informal response.

3 The People's September 5, 2025 motion to strike is directed
4 at the Petitioner's reply briefing section entitled "Argument".
5 While the People couch their objections as required by Evidence
6 Code § 353, the sections of the brief they seek to strike are not
7 evidence but argument of counsel. None of the objections are
8 directed to the declaration of opposing counsel filed under
9 penalty of perjury, but to the argument asserted in the brief.
10 Evidence Code § 353 is inapplicable. Comments of counsel are not
11 evidence. The motion to strike is denied.

12 IV. ORDERS

13 Based on the foregoing findings, the Court partially grants
14 Petitioner's motion to file exhibits under seal. With respect to
15 Exhibits 31, 45, 46, 47, and 49, pursuant to CRC 2.551(e)(1), the
16 Court orders the lodged unredacted exhibits filed under seal. The
17 sealed exhibits may only be accessed by the Court. The parties
18 are prohibited from disclosing the sealed contents of these
19 exhibits in any subsequent public filing pursuant to CRC
20 2.551(e)(4).

21 Based on the Court's partial denial of Petitioner's request
22 to file Exhibit 2 under seal, within 10 days of this order
23 Petitioner is directed to either notify the court that the lodged
24 unredacted Exhibit 2 may be filed unsealed, or submit a new
25 redacted public version of Exhibit 2 redacting only those portions
26 of the exhibit ordered sealed by the Court pursuant to California
27 Rule of Court 2.551(b)(6). Upon timely receipt of a redacted
28 version of Exhibit 2 for public filing complying with this order,

1 the Court orders the lodged unredacted Exhibit 2 filed under seal.
2 If the Court does not receive a timely redacted version of Exhibit
3 2 for public filing, the Court orders the clerk's office to
4 permanently delete Exhibit 2 pursuant to CRC 2.551(b)(6).

5 The Court denies Petitioner's motion to seal any portion of
6 Exhibits 2E, 4, 30, and 44. Pursuant to CRC 2.551(b)(6), if within
7 10 days of this order Petitioner notifies the court that the
8 exhibits may be filed unsealed, they will be so filed. If the
9 Court does not receive such notification within 10 days, the
10 clerk's office is ordered to permanently delete Exhibits 2E, 4,
11 30, and 44.

12 This order discusses only the public-facing content of the
13 proposed sealed records in articulating the findings required by
14 CRC 2.550. The court therefore does not seal this order. The
15 court further finds that no additional sealing of the register of
16 actions is required to maintain the sealing granted in this order.

17
18 DATED: November 4, 2025
19

20
21 
22 Elizabeth M. Hill
23 Judge
24 Superior Court of California,
25 County of San Mateo
26
27
28