

**Drew Peterson Trial 2012 - Murder of Kathleen Savio
People of the State of Illinois v. Drew Peterson (09CF-1048)
Will County, Joliet, Illinois**

Pastor Neil Schori Testified August 23, 2012

**A Personal Collection of Found Materials ("as is")
(Note: This is "not" an official legal court transcript)
(Dialog spacing done below for format and reading ease)**

In Session
<https://www.facebook.com/InSession>

August 23 at 10:05am

Watch this thread for live updates from the Drew Peterson murder trial!

According to prosecution PIO Chuck Pelkie, today's first witness should be Pastor Neil Schori. After Schori, we should hear from Patrick Fillips (an Illinois State Police crime scene investigator) and Dave Margliano (a Will County State's Attorney's Office investigator).

In Session

Judge Burmila has taken the bench.

Glasgow announces that the first witness will indeed be Neil Schori, and wants clarification as to what he may or may not say.

Attorney Brodsky notes that there are issues of marital and clerical privilege at play with Schori.

Judge: "I don't think we addressed the issue of 'no one will ever know' [which Drew allegedly told Stacy]."

The judge once again overrules the defense's marital privilege objection to this testimony.

August 23 at 10:37am · Like · 25

In Session

Brodsky and Glasgow continue to argue over the exact terminology that Schori will be able to say.

Glasgow claims that "my hands are tied," based on the judge's prior rulings.

“We have a right to have this witness tell the gist of what he was told . . . the words ‘perfect crime’ were used . . . he [the defendant] coached her for hours.”

Judge: “We’ve revisited this on a number of occasions . . . the issue is what is legally admissible, not what makes the State’s case better, or what makes the witness more believable . . . I was told that the testimony was going to be that she was told to lie. ‘This will be the perfect crime’ is covered by marital privilege. I didn’t make up marital privilege . . . now you’re telling me that’s not really what the statement was. I guess we have to backtrack: did Rev. Schori say that Stacy Peterson told him that she was told to lie to the police?”

Glasgow: “Yes.”

Judge: “You know what . . . get the transcript of the argument that was made by me on the State . . . Stop! I want the transcript before we go any further. I want to make sure we’re crystal clear here as to what I was told by the State. When you find that, we’ll reconvene.”

August 23 at 10:44am · Like · 7

In Session

An obviously annoyed Judge Burmila has left the bench.

The trial is in recess until the transcript in question can be produced.

August 23 at 10:44am · Like · 6

In Session

During this recess, both sets of attorneys have stayed inside the courtroom.

Several members of the media, however, have been wandering around the hallway.

August 23 at 10:54am · Like · 7

In Session

Jeff Ruby, the Cincinnati restaurateur who’s been following the Peterson trial, has just been ejected from the courtroom. His offense: mouthing some expletive words to defendant Drew Peterson during this unexpected recess. Ruby’s action was witnessed by a member of the courtroom security staff, and he was subsequently removed by members of the Will County Sheriff’s staff. According to media coordinator Ken Kaupus, he is permanently banned from the trial.

August 23 at 11:10am · Like · 15

In Session

As this recess drags on, the prosecution team has remained at its table inside the courtroom.

The defense attorneys, however, have now left the courtroom, and are milling around in the hallway (along with media and spectators).

August 23 at 11:14am · Like · 5

In Session

The parties are heading back into the courtroom.

We should be resuming shortly.

August 23 at 11:19am · Like · 8

In Session

August 23 at 11:28am

Watch this thread for live updates from the Drew Peterson murder trial!

Judge Burmila is back on the bench.

“The transcript of July 18 has been provided to the Court... it’s exactly as I remembered; I was advised by the State that the defendant told her to lie to the police. And now this morning, I am informed by the State that that is not the case... so with that as our starting point, where are we with the request from the State that I evaluate Rev. Schori’s testimony in light of what I was told previously.”

Prosecutor Griffin responds: “This was referred to over and over again before Judge White and Your Honor as ‘the lie request’...”

Judge: “Where are we at, then? I’ve made a ruling that he cannot say she said this was going to be the perfect crime... you know, and you have known, that the lynchpin is inadmissible. So what is it you’re asking me to do this morning?”

Griffin: “I guess we’re just asking the Court to reconsider...”

Judge: “You’re asking me to admit a statement she made to Rev. Schori that she fulfilled the defendant’s wish?”

Griffin: “Yes, without getting into the actual statement that she made to the police.”

In Session

Brodsky responds to the State's argument.

"I think the major problem is that statement, whatever it may be, from Stacy Peterson is not in evidence. I guess what the State's asking to do is talk about something without having the statement before the jury...in any event, as you said, the statement here is very specific...that she uttered the word 'lie' isn't really very clear. If the portion of the statement they can get in doesn't make sense, we can't make up a fictional statement to make sense. If it doesn't, it doesn't; that's their problem, I guess."

Greenberg joins the defense argument: "There's no such statement before the jury...there has to be some predicate for the statement, and I don't know what the basis would be for Stacy saying, 'I lied to the police'...I don't know what the basis would be for that statement."

Judge: "Unfortunately, we're at another instance where the State has made one representation one day, another the second day, and a third when the witness is about to hit the stand...however, I don't think that I have to revisit my ruling. The statement as to the perfect crime is privileged, and it's inadmissible . . . I understand the defense objection, but the statement that she did carry out his wishes is going to be admissible."

August 23 at 11:34am · Like · 19

In Session

Despite the judge's ruling, attorney Brodsky continues to object to portions of Neil Schori's upcoming testimony (due to the marital privilege issues).

Greenberg also joins the discussion, reads from one of Judge Burmila's previous rulings. "It's our position that they haven't laid a foundation."

Prosecutor Griffin responds, dismissing the defense arguments. "There's nothing in the law that states that acts and communications have to be definitively tied to a specific victim."

Greenberg: "I don't understand how that establishes any foundation . . . we have nothing more than we had at the time these motions were extensively litigated . . . we would ask the Court to not allow them to get into this."

Judge Burmila: "The State's argument is that statement was barred by Judge White as privileged, and that explains the link you now say doesn't exist . . . the Court's observations you read from the transcript were in advance of the trial. The issue here is whether or not there's any testimony presented to this jury that could allow for the inference the State is trying to make . . . but there is some indication that the jury could believe this act happened sometime between midnight Saturday and the time that she was found . . . taking all of that

into account, the jury would be able to draw the inferences that the clothing the defendant had with him, if they believe Stacy Peterson's hearsay statement, could have come from the victim's home. So that [defense] objection will be overruled."

August 23 at 11:44am · Like · 25

In Session

Prosecutor Glasgow asks for a few moments to speak to the upcoming witness about the judge's ruling.

The judge grants this request, and leaves the bench.

The trial is again in a short recess.

August 23 at 11:45am · Like · 12

In Session

August 23 at 11:52am

Watch this thread for live updates from the Drew Peterson murder trial!

The judge is back on the bench. He sends for the jury.

08/23/2012: Prosecutor James Glasgow on direct examination

In Session

The jurors have entered the courtroom, and the State calls its first witness of the day:

Neil Schori (questioned by prosecutor Glasgow).

He goes over his educational background.

"My first ministry was working for a hospice organization . . . I worked on the South Side of Chicago. I was transferred to St. Louis, where I worked for another year."

"In May of 2004, did you begin working with the Life Spring Community Church, in Plainfield?"

"Yes, it was June 1, 2004."

"Did you have occasion to meet Drew and Stacy Peterson?"

"Not at Life Spring . . . I met them at the end of 2005 or the beginning of 2006 at West Brook Church in Bolingbrook."

“Did you have a chance to minister to them?”

“I did.” Objection/Overruled.

He identifies the defendant in the courtroom, and then also identifies a photograph of Stacy Peterseon.

August 23 at 11:58am · Like · 18

In Session

On August 30, 2007, he received a phone call from Stacy Peterson, and met her at Starbucks in Bolingbrook the next day (“between 8:30 and 9:00 in the morning”).

“What did you observe when you arrived?”

“I observed her sitting by herself in the patio, as I approached... Stacy appeared to be...”
Objection/Overruled.

“Stacy appeared to be nervous, tentative. She was sitting alone. I approached and greeted her... I did all of my counseling out in public, usually at a coffee shop . . . I did that because I never wanted to have any question of impropriety on my part.”

“How public was the area where you met?”

“It’s a very public area, very highly trafficked...very busy.”

“How long did you talk to her?”

“Probably about two hours.”

August 23 at 12:00pm · Like · 23

In Session

At one time, Stacy became more upset.

“She withdrew, and I recall her holding her leg up... she silently cried; she had tears streaming down her cheeks.”

“Did she indicate she had something to tell you about the night Kathleen Savio died?”

“She did... she told me that one night she and Drew went to bed at the same time, and they both went to sleep. She woke up in the middle of the night, and noticed that Drew was not in the bed with her... she looked around the house, hoping to find him; she did not find him in

the house. She attempted to contact him by phone and was unsuccessful in doing that.”

“What did she do after that?”

“After that, it was some time later, in the early morning hours... she saw him standing near the washer and dryer, dressed in all black, carrying a bag. She said that he removed his clothing, and then took the contents of the bag and put all of that into the washing machine.”

“Did he walk away at that point?”

“He did. She walked to washing machine, and looked inside. And she saw women’s clothing that was not hers.”

“Did she shortly thereafter have a conversation with Drew Peterson?”

“She did. He told her that soon the police would be wanting to sit down to interview her, and he told her what to say to the police.”

“How long did it take for him to tell her what to say?”

“It took hours.”

“Did she tell you what she said to the police?”

“She said that she lied on Drew’s behalf to the police.”

As Stacy told him this story “she continued to cry. She was very scared.”

August 23 at 12:06pm · Like · 37

In Session

“Do you know what she was referring to when she told you this information?” Objection.

The parties approach for a sidebar.

August 23 at 12:06pm · Like · 8

08/23/2012: Defense Attorney Joseph Lopez on cross examination

In Session

The sidebar ends.

The direct examination of this witness has ended, and attorney Joe Lopez begins his cross.

“You told the grand jury that you had heard rumors about what had happened to Miss Savio,

remember that?”

“I do.”

“You had kind of an idea of what she was talking about?”

“Just a very faint idea... I'd heard a little bit at the church.”

“When she mentioned this, you were also thinking about things people had previous told you, trying to connect them?”

“No, not really.”

The witness says that the West Brook Church had about 1200 members.

“You had an office at that church?”

“I had a cubicle.”

“You didn't ask Stacy to meet you at that church?”

“That is right.”

“And you studied this ministry, for this counseling ministry?”

“I did.”

“Did any book suggest to you that you should use Starbucks instead of Dunkin' Donuts for a counseling session?”

“I don't really understand.”

“Are you telling us you do marriage counseling in public places?”

“Absolutely . . . I think what I do I do very well.”

“While she was telling you this, was she carrying in her latte at the same time?”

“She was crying.”

“You're telling us you decided to meet her in a public place?”

“I always met in public.”

“Is that what you learned in school?”

“There are many ways to do counseling; there's not just one way.”

“You previously told the grand jury that she burst out into tears?”

"I didn't say she burst out in to tears...I don't recall exactly what I said."

August 23 at 12:12pm · Like · 15

In Session

Lopez asks the judge for a sidebar.

August 23 at 12:13pm · Like · 4

In Session

The sidebar ends.

"Sir, when you went to this Starbucks, you didn't know what she was going to tell you?"

"That's right."

"Why didn't you meet at the church, in a private setting, to discuss private issues with people?"

"I didn't believe it had to be done the way you suggest . . . she was not embarrassed."

"How do you know that?"

"I believe she was not embarrassed."

"You don't even know if she was telling the truth?"

"I believe she was telling the truth."

"Did you keep a log of when you met her?"

"No, I did not."

"Did you take any notes?"

"I never take notes at counseling sessions."

"I'm not asking you about other people you've embarrassed, I'm asking you about this session. Did you take notes?"

"No."

"Drew wasn't present?"

"That's right."

"You never suggested she go to a shelter?"

"No."

"You didn't call her the next day to see if she was OK?"

"Correct."

"You didn't talk to Drew about it?"

"That's correct."

"You didn't tell anybody about it?"

"That's correct."

"In fact, you were sitting on a grand jury?"

"That's correct."

"Did you speak to somebody in August?"

"No."

"September?"

"No."

"You didn't speak to anybody until October?"

"That is correct."

August 23 at 12:16pm · Like · 11

In Session

"After she made this statement, you didn't offer any further counseling to her?"

"I did not meet with her again."

"You let her leave this meeting without giving her any advice?"

"I did not tell her what to do; that is correct."

“She also told you that Drew told her that he killed his own men when he was in the Army?”

“That is correct.”

“This was outside, on the patio?”

“Right . . . there were people outside.”

“It was a fairly busy Starbucks?”

“Yes.”

August 23 at 12:17pm · Like · 12

In Session

“Now, you testified at the grand jury on March 27, 2008?”

“I’m not sure of the date.”

“But you remember testifying at the grand jury?”

“I do.”

Lopez then reads from the grand jury transcript.

“You said she burst into tears?”

“I don’t recall saying she burst into tears, but I remember tears.”

“Did you offer a Kleenex to her, or a napkin from Starbucks?”

“I don’t recall.”

“After you left that meeting, you didn’t go to her house at any time?”

With that question, the judge asks that the jurors be removed from the courtroom.

August 23 at 12:24pm · Like · 10

In Session

The jury is now gone.

Apparently, one of the jurors has been coughing, and the judge is afraid that the cough is interfering with the court reporter’s ability to do her job.

He calls a brief recess, in order to allow the juror's cough to quiet down.

August 23 at 12:25pm · Like · 8

In Session

The judge has left the bench.

The trial is in recess.

August 23 at 12:25pm · Like · 3

In Session

August 23 at 12:28pm

Watch this thread for live updates from the Drew Peterson murder trial!

Judge Burmila is back on the bench. He sends for the witness and the jury.

In Session

Lopez continues his cross-examination.

The witness says there's no way that he could know if anyone else at Starbucks overheard the conversation. He can't recall how long into the conversation it was when Stacy brought up this issue. Stacy was already at Starbucks when he arrived.

"When she first started speaking to you, she wasn't talking about that subject?"

"That is correct."

"Did she just make this statement inadvertently, or were you asking questions about the relationship?"

"We talked about quite a few things before she told me."

"Did she swear you to secrecy?"

"I told her I would do whatever she wanted me to do."

Once again, the witness says that he didn't follow up with a phone call to Stacy the next day.

"This conversation lasted about an hour and a half?"

“Approximately.”

‘And you talked about other things as well, unrelated to what you told the jury?’

“I’m not sure I would characterize it that way. But we talked about other things.”

August 23 at 12:32pm · Like · 13

In Session

Schori says he met Stacy in public “for reasons of integrity.”

He justifies not telling anyone about what she told him because “I believed that I should do what she wanted me to do.”

“She said, ‘I live with a murderer’?”

“Yes.”

“And you let her go back there? You didn’t stop her?”

“It’s not my job to stop people.”

“You told the jury that Stacy told you she lived with a murderer?”

“Those were not her words, but yes.”

“So it was your understanding that Stacy lived with someone who committed a murder?”

“Right.”

“Of a wife?”

“Right.”

“And you let her go right back there?”

“I didn’t stop her.”

“Because you didn’t believe her!”

“Not true.”

August 23 at 12:35pm · Like · 10

In Session

The witness is confronted with his hearsay hearing testimony.

“Would you like to see a transcript, to refresh your memory?”

“No, thank you . . . if it’s in the transcript, I said it.”

August 23 at 12:35pm · Like · 14

In Session

“After receiving this powerful information that she lived with a murderer, you did nothing to stop her?”

“I did not stop her from going home.”

“You didn’t reach out to the Savio family, did you?”

“I did not.”

“You didn’t send them an anonymous letter with this information?”

“I did not.”

“You don’t know what day Kathy was pronounced dead, do you?”

“I do not.”

“And you weren’t present when Stacy was interviewed by the police?”

“That’s correct.”

“You don’t know what she told the police, right?”

“That’s correct.”

August 23 at 12:37pm · Like · 7

In Session

That concludes the cross-examination of Rev. Schori.

Glasgow then asks for a sidebar.

August 23 at 12:38pm · Like · 17

08/23/2012: Prosecutor James Glasgow on direct examination

In Session

The sidebar ends. Glasgow:

“You’re now at Naperville Christian?”

“Yes.”

“You’ve got from 1500 to 250?”

“From about 1200 to 250.”

“Do you have any authority to tell your parishioners what to do?”

“No.”

“You knew Drew Peterson was a policeman?”

“Yes.”

“She asked you not to tell anyone?”

“She did.”

“Professionally, what position does that put you in?”

“I honored her request, because she asked you do.”

“Isn’t it important that you do that, to maintain the integrity of counseling sessions?”

“It is.”

August 23 at 12:43pm · Like · 20

In Session

The day he met Stacy at Starbucks, he had another person there as well, sitting about eight feet away named Marco Macola (?).

“He was there, because I sensed from the phone call that I had received from Stacy the day before that I needed to have somebody else there to observe, to be able to see what was going on.”

The defense asks for a sidebar.

August 23 at 12:45pm · Like · 17

In Session

The sidebar ends, and the judge excuses the jury.

Attorney Greenberg puts his objection on the record.

“The reason this witness came forward in October was because a witness came forward to the grand jury he was seated on pertaining to Mr. Peterson’s situation... he came forward when he realized he was about to hear testimony about a matter he felt he was involved in... he said something finally to someone because that grand jury started hearing testimony about this case.”

Glasgow responds: “I’m just confirming that he did come forward in October; I’m not following it up.”

Judge: “It appears in October, whatever the reason was, he told a state trooper whatever his story was... you’re the ones that created the mess in the first place. But I think the fact that he told the sergeant in October is appropriate, and it’s admissible.”

August 23 at 12:49pm · Like · 27

In Session

The sidebar ends, and the jurors are back in the courtroom.

“You were asked whether or not it was possible that Stacy was lying to you?”

“Correct.”

“Did you believe her?”

“I believed her.” Objection/Sustained.

August 23 at 12:49pm · Like · 13

08/23/2012: Defense Attorney Joseph Lopez on recross examination

In Session

That ends the redirect examination of Rev. Schori. Lopez then begins his recross.

“You mentioned you needed to bring somebody with you, based on the phone call you received the day before?”

“That’s correct.”

“You knew she was going to seduce you?”

“That’s not correct.”

“That’s why you brought Marco with you?”

“I didn’t know what to expect. But I felt more comfortable bringing someone who could observe at a distance.”

“You wanted to protect the integrity of yourself in your meetings with people?”

“I always want to protect myself.”

“And Marco was not listening to your conversation, as far as you know?”

“That’s’ correct.”

“You asked him to come to observe the meeting?”

“Correct.”

“He was seated about eight to ten feet from you?”

“Approximately...I believe he was off to my side.”

“Part of that was for your own protection?”

“Part of it.”

August 23 at 12:53pm · Like · 13

In Session

“On the day you had this meeting with Stacy, you were not a licensed counselor at the time?”

“I am not a licensed counselor.”

August 23 at 12:53pm · Like · 7

In Session

“When Mr. Glasgow was asking you about you not telling anybody, do you remember that?”

“I do.”

“Did you appear on a radio show...” Objection/Sustained.

That ends the testimony of Rev. Schori, and he is excused from the stand.

The judge excuses the jurors for the lunch recess.

August 23 at 12:55pm · Like · 14

08/23/2012: Court addresses the alleged alibi receipts and phone records

In Session

The jury is now gone.

Judge: “For the third time during the course of this trial, there have been occasions where defense counsel has asked questions of witnesses where the spectators have groaned while the jury was present . . . we’ve had the gallery react, which we really can’t allow to happen . . . I cannot allow those outbursts to occur in front of the jury. What they express when that jury is not in this courtroom is of no consequence or import to me whatsoever . . . that cannot happen again.”

August 23 at 12:59pm · Like · 8

In Session

The judge has left the bench, and the trial is in recess until 1:15 CT/2:15 ET.

August 23 at 12:59pm · Like · 6

In Session

August 23 at 3:20pm

Watch this thread for live updates from the Drew Peterson murder trial!

It appears that everyone is now heading into the courtroom.

Judge Burmila is back on the bench.

“Are we ready for the jury?”

Brodsky: “My understanding is that the State wants to call investigator David Margliano. His testimony would be about his search of the defendant’s home, and items he found in an envelope, including tickets to the Shedd Aquarium from Feb. 29, 2004 . . . both Your Honor

and Judge White had both ruled that since the defendant is not asserting an alibi defense, no evidence of a false alibi could be introduced. This is no more than a back door way to suggest that the defendant was trying to set up an alibi . . . it also goes to the defendant's right to remain silent. It's irrelevant and immaterial . . . it would only ask these people here to speculate as to why he would do it. Perhaps he's a compulsive record keeper . . . I don't see how or why this witness should be allowed to testify."

Prosecutor Connor responds: "It did not appear from the other items in this file cabinet that he was a compulsive record keeper . . . these are items of physical evidence, maintained by the defendant for three years, even after the coroner's office had determined this was an accident . . ."

Judge: "I'm with you, except on two points. What is the compulsion for the defendant to give this evidence to the state police?"

Connor: "It's not a legal compulsion; it's a common sense compulsion."

Judge: "We're going to have to revisit this one . . . I understand what you're saying."

Connor: "Our argument is that he had to keep those documents for use at a later time."

In Session

Connor continues: "The nature of these particular documents . . . were all unfolded, unwrinkled . . . the unique nature of this is something we believe the jury should be allowed to consider."

Brodsky: "Consider for what? They want the jury to speculate . . . we have not asserted an alibi defense; our defense is and always has been that this was an accident . . . there's nothing here, no inference other than gross speculation."

Judge: "The jury has heard testimony that the defendant's intent to have his wife killed would be masked by his being elsewhere . . . in this instance, the State says the witness will link the death to these specific items, because there's a newspaper article. I think that because the witness testified that the defendant hoped to create a true alibi for himself, I think it does not touch upon his right to remain silent, and is something the jury could take into account . . . so this evidence is admissible."

August 23 at 3:27pm · Like · 40

In Session

Greenberg: "Are they now alleging there was a hit man?"

Judge: "All I can do is address what they're asking me to do."

Greenberg then moves to an objection to the testimony of “Mr. Mims,” another potential witness.

Connor clarifies that this witness will be able to testify about phone records that no longer exist.

“It provides an explanation why there would be no direct call records from that particular evening.”

August 23 at 3:30pm · Like · 23

In Session

Judge: “The only phone records you have are from this Nextel company?”

Connor: “Those are the only ones we are aware of from our investigation.”

Judge: “Is there any indication that those minutes were used between those two phones?”

Connor: “It has to be between two phones that are on the network.”

“You could chirp anyone else who was on the network?”

“Yes.”

Judge: “I’m going to take the issue of Mr. Mims under advisement. You can call Mr. Margliano, and we’ll go from there.”

August 23 at 3:32pm · Like · 16

In Session

Judge to prosecutor: “If you say this murder – if it is a murder – happened at 3:00 am, what is the relevance that the defendant had proof he was somewhere else at 5:00 pm the next day?”

Connor: “Basically, there are a couple of different issues. The defendant did not know when the body was going to be found, and by whom.”

Judge: “That’s completely irrelevant to your argument.”

Connor: “Obviously, the person who finds the body would be the first suspect.”

Glasgow joins the discussion: “We’ve had testimony about rigor mortis...that could include the time frame in which he has these documents.”

Judge: “Then what’s the relevance of Stacy Peterson saying he came home in the middle of

the night?”

Glasgow: “He has to cover all his bases . . . this time here could come into play, and he knows this as a 30 year police officer. These documents are pristine, not a crease, not a tear...”

Glasgow apologizes for using the word “Hell.”

“He’s hedging his bets ...later on, if things went south, suddenly this becomes relevant.”

Judge: “I understand the pristine nature of the evidence...but the question I have for you is if the State’s position is that this murder happened at 3:00 am, the early morning hours, that Stacy caught him in the act of destroying the evidence...what, then, is the relevance of where he was the next afternoon? Are you arguing that he didn’t want to be anywhere near when the body was found? What are you saying this evidence means?”

Glasgow: “It could have been an alibi for the murder...somebody turned these lights off to make it look like they didn’t need to be on in the morning...the orange juice was out; that’s something an insensitive husband wouldn’t remember to do...”

Judge: “Where is the evidence that he staged the scene?... let’s not get off on that track. I still want to know what is the relevance of where he was the next afternoon? How does that prove your proposition that this was a homicide?”

Glasgow: “Again, he’s got the alibi of the nighttime with Stacy. But if she’s ever not around, this gives him coverage for the next morning.”

August 23 at 4:14pm · Like · 10

In Session

Judge: “If the murder happened at 3:00 am, what is the relevance of where he was Sunday afternoon? You answer is ‘just in case’ he needed to be alibied?”

Glasgow: “This would give him alibi for the morning.”

Judge: “Just in case no time of death could be determined, he needs as much of an alibi as possible?”

Glasgow: “Yes.”

Greenberg: “I don’t even know where to begin with that . . . he has to be alibied for Saturday night, and Sunday, and Monday? I don’t get that. What I’m hearing here is the State has no theory about what happened here. They want to put in the kitchen sink, everything they can, and then say ‘We don’t know what happened, but boy, he wanted her dead. So he must have done it.’ That’s what I’m hearing here . . . if they’re going to say the death occurred on Sunday, between 9:00 in the morning and 6:00 at night, then maybe they’d be relevant.

Because there's no dispute that he was at all these places . . . but otherwise, it's not relevant. And it's worrying me a little bit that they can't give you a straight answer on these things."

Judge: "The court took the information into account, and made a ruling as to the admissibility of this evidence, as it related to the defendant's claim that he wanted to be elsewhere when the murder occurred . . . given the fact that the State has argued to me and intimated to this jury that this crime occurred in the early morning hours . . . I'm unconvinced that the State's argument that these documents are relevant to where he was the next afternoon . . . given the stance of the State that the defendant alone is responsible for this, Mr. Magliano's testimony would be irrelevant on this point. But if they present other evidence as to the relevancy of where he was that Sunday afternoon, I will reverse myself . . . if that's the case, I'll revisit it."

August 23 at 4:15pm · Like · 6

In Session

The judge says that will take the matter regarding Rick Mims under advisement.

"Don't release him as a witness yet. We'll be in recess for a brief period of time."

Judge Burmila has left the bench.

The trial is in recess until further notice.

August 23 at 4:16pm · Like · 3

In Session

August 23 at 4:17pm

Watch this thread for live updates from the Drew Peterson murder trial!

Judge Burmila is back on the bench. He says that the fact that Drew and Stacy's Nextel phones had a "chirping" feature might be relevant.

"My concern, however, is that Mr. Mims may not be the right person to introduce this to the jury . . . if you want to call someone from Nextel, or if the parties want to stipulate, I think that's all appropriate, and it will be admissible."

Connor: "We would have to produce that witness tomorrow. As far as our witnesses for today, given your rulings, we are at an end of our witnesses."

In Session

Judge to prosecutor Connor: "How many witnesses will you have available tomorrow?"

Connor: "We should be in a position to rest tomorrow morning."

The defense then asks for a sidebar.

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In Session

The sidebar ends.

Judge Burmila announces that he will release the jurors for the day. He wants to have a conference with the attorneys, but that will apparently take place in chambers.

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