

Department 53
DATE: 1/13/2005

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
MINUTE ORDER AND COMMITMENT

COURT CLERK: B. Graves
CUST. STATUS: IC
CASE NO: F04901785-6
D.A. NO: 2004H9621
INTERP:

JUDGE: R. L. PUTNAM
P/NP DEFT: MARCUS DELON WESSON
P/NP DEFENSE: P.D. P. Jones & R. Jones
P/NP D.A. K. Gamoian
P/NP P.O.

RPTR/TAPE: K. Garcia
HRG/MTN: Case Status
BKG/JID #: t-213778

CHARGE(S): ***PC187(a) PC187(a) PC187(a) PC187(a)

STATUS: 12/15/05 9am 53 TRIAL: 1/25/05 10:30am
995: _____ MP: _____
CONT TO: 2/18/05 9am 53 FOR: Certification of

Fresno County Plaza

RPO: _____
RP: _____
DOB: 12/27/1946

ARRAIGNMENT-VOP

- (Re)appt. Conflict
- PD Barker ADO/ _____ Ind. C./ _____
- Sub in _____ Relieved _____
- Def rec copy _____ amended/Compl/Info. WR/WFA/CSR
- PLEA NG NGI DENIES PRIOR ENHANCEMENT
- T/D set w/in statutory time WTFT _____
- DA & Def counsel stip disc purs to PC 1054 Adv. PC 987.8
- Def ADMITS/DENIES VOP Crt finds VOP for _____
- Fail to OAL/PLEA in # _____ Prob Revok _____
- Crt accepts admis; finds def KIV admit VOP for: _____
- Refer PO: Supp/Oral Rept HRO 1203C Rept

MOTIONS:

- Granted Denied
- Court/Peo. Mtn: case dism _____
- COP/TC/HTA DEJ NOCS PC17(b)
- Guilty No Contest Prelim waived HTA as to _____

- Admits Enh. In Ct. _____ priors _____ strikes Cert to Sup. Ct.
- COP form signed, filed in open Crt. CRT accept Plea, find KIV made & Supp'd by factual basis. Ref PO RPO DV/PC1000 Assess.
- Def adv Serious felony enh. -PC667/PC969f.
- Mtn. Dismiss rem cts & alleg. Grtd. w/RTC&Rest. Arbuckle waiver
- Go No Go Time Est: _____ Trial # _____

REJECTION PLEA-MTN WITHDRAW PLEA

- DA does not support plea agreement Crt rejects plea
- Def mtn w/draw plea. Cont. to Muni CVMC

RPO & JUDGMENT

- Orig. Supp Rept of PO read & considered Plea renegotiated
- Rept of Dr. _____ read.
- Def WFA/NLC Def WTFS Waives RPO & Req immed sent.
- Prob: granted denied reins same T&C Mod termin.
- additional term _____ yrs. Misd. Sent _____

LOCAL COMMIT.

- Def waives _____ days credit for local/all purposes.
- CT _____ L/M/U _____ YRS+ _____
- CT _____ L/M/U _____ YRS+ _____
- Concur Consec. Parole Viol. Any other sent.
- Exec of sent stay _____ yrs;
- IMPOS of jdg/sent susp _____ yrs; Formal Cond. Prob.
- Commit _____ days Co. jail all susp./stayed except _____ days
- All susp/stayed on condition def comply with Probation.
- Exec of sent. stayed to _____ am/pm at FCJ. Pending Rev. Hrg.
- Ref: AOWP WFO Report to PO _____
- CFTS _____ (Actual _____ /GTWT _____ /Trmt _____) TRD _____

FINE: \$

FEES: PC1202.4 (rest.) _____ Cite _____ Drug/DV Diversion _____
 PC290.3 _____ H&S 11372.5 _____ PO rept fee _____
 PC1203.1b \$ _____ TTP _____ Pay by _____
 or \$ _____ per mo. begin _____ thru Court/RRD/as directed by PO.
 Atty fee _____ thru RRD by _____
 Bkg fee _____ payable to arresting agency.

OTHER

PRISON COMMIT. Rule 412 Prob. Denied CDC Stay lifted

- CYA housing - WIC 1731.5(c) CYA purs to WIC 1731.5(a)
- CT _____ L/M/U _____ YRS+ _____
- PC667.5(b); 1 yr. HS 11370.2; 3 yrs. 667(a); 5 yrs.
- Tot Priors _____ yrs Ct _____ dbl/trpl purs to _____
- PC 654 stay: _____ Sentence: Concur Consec.
- Case # _____ Parole Viol Any other sent.
- PC 1202.4 _____; HS 11372.5 _____
- PC290.3 fees _____ Testing: PC1202.1 PC290.2
- REG PC 290.1 REG HS 11590 Recom Housing/PC2684
- No visitation between def and child victim purs to PC1202.05.
- Def advised Parole Appeal
- CFTS: _____ Sent. Stayed to _____

TOTAL DETERMINATE YRS

TOTAL INDETERMINATE TERM

CRC COMMITMENT

- Sent susp purs WIC 3051
- Rept Dr. _____ read. Rec'd into evidence.
- Purs to stip Counsel Crt finds def addicted or in imminent danger
- Per CRC parole status _____ of addiction to narcotics
- Commit to CRC purs to WIC 3051 for prev imposed term
- CRC
- Def waives CRC exclusion hrg. Crt vacates civil addict commit
- Crim proc reins def on Prob 1 day & terminate
- SERVE TERM PREV IMPOSED _____ CREDIT _____
- Time credit exceed term imposed, commit purs PC 1170(a)(3)
- Report to Parole forthwith

DIAGNOSTIC EVALUATION

- Crim Proc susp purs PC 1203.03 WIC 707.2 commit
- PC 1170(d): 120-day eval. Crt maintains jurisdiction

APPOINTMENT OF DOCTOR Crim Proc Susp.

- Appt Dr. purs to WIC 3051 PC 288.1 PC 1368
- PC457 General sent Rept; Other _____
- Dr. _____ to exam def at: Main Jail Clinic, 2nd fl;
- Dr's office on _____ at _____ am/pm
- Def ordered to appear for Dr's appt. Report due: _____

COMPETENCY/SANITY FINDINGS

- Crt finds def is/is not Competent Sane
- Crim proc rem susp/reins Ref to Forensic M.H. for rept/recom:
- Def comm to state hosp purs to _____; Transp upon receipt rept

TERMS OF PROBATION/RELEASE/SENTENCE/VOP FINDINGS-SEE BACK

- OAL T(ALC/NAR) SS Fin Decert FS/AFDC 6 mos/1 yr
- MR(PO/FSD/FCU) AD EN(MH/ALC/NAR) SW
- PRGM _____ (In/Out) patient/Batterer's trmt
- SM CMS HRS: _____ PEEP REP. PO
- PDW CONS ALC USE NAR MIN V FV
- CHK PRE PROP CO-DEF DMV INS DMA
- REVOK/SUSP/RES _____
- Reg: HS11590 PC 290 Protective Order PC1202.6 Testing
- Weapon (destroy/dispose/other: _____)

OUT OF CUSTODY DEFT STATUS:

- Remains OR FR Cite NS SB CB PB OP Released OR
- ETA: Appearing to be in VOP CB SB PB forfeited. OR FR Cite NS revoked.

BW to issue, bail \$ _____ B/W (recalled) (filed) (held until) _____

BOND ORDERS:

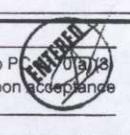
- Forf vac purs to reassumption letter filed by _____ SB CB PB reins. & exon.
- Upon payment of Reins. Fee _____ OTHER: _____

IN CUSTODY DEFT STATUS:

- Remains IC Remanded No Bail Bail set/incr./red.
- Released OR Cruz Waiver on record W/CFTS All Cts On Prob _____ St. Parole Purs. to PC 1202.4
- FSO ordered to transport Def to _____ CDC _____ CRC _____ CYA upon acceptance
- State Hospital _____ Upon available bed space, Def may be rel. to rep. of: _____
- Ref 4011.6 PC (72hr) Other _____ Def to be trans. on Salvation Army bus for interview on _____

PC 0065.3(95) R011-98

DEFENDANT ORDERED TO BE PRESENT AT ALL HEARINGS



inf 2

CASE TITLE	PEOPLE V MARCUS DELON WESSON	CASE NUMBER: F04901785-6
CRIMINAL MINUTE ORDER ATTACHMENT (Additional Counts and Findings)		DATE: 1/13/05

ADDITIONAL COUNTS

Count: _____ L M U _____ YRS+ _____

ADDITIONAL FINDINGS/ORDERS:

Defense Motion For Individual Sequestered "Hovey" Voir Dire is argued. Motion is granted as to Knowledge of Case and Death Penalty.

Court exhibit 3(General Questionnaire - Draft of 1/6/05) marked for identification.

Both parties agree to the General Questionnaire as correct on this date.

People's motion to modify Juror Questionnaire Information is taken under advisement.

All parties agree to the tentative schedule for the trial. All parties consent to the use of the Hardship Questionnaire and the rules for hardships dismissals. The Court and counsel are to review the form entitled Instructions for Individual Questioning for next hearing. The People are to provide witness list to all parties by 1/20/05.

Court orders case evidence given to defense for analysis be returned to the Fresno Police Department by 1/20/05.

Court further orders the both parties to provide any written or oral reports received to the other party by 1/21/05.

Court orders pages 685-703 of the transcript of 1/4/05 unsealed and made part of the public record.

RFB