

DEPT: 60

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO

DATE: 12-2-04

CENTRAL DIVISION

CRIMINAL MINUTE ORDER AND COMMITMENT

COURT CLERK: V Rivera

JUDGE: J Jones

RPTR/TAPE: K Garcia

CUST. STATUS: IC

CASE NO: F04901785-6

D.A. NO: 04H9621

INTERP: 04H9621

P/NP P/NP P/NP P/NP

DEFT: Marcus Delon Wesson

DEFENSE: Pete Jones

D.A. Lisa Samson

P.O. Lisa Samson

See minute order attachment for further proceedings

HRG/MTN: Corrector

BKG/JID #: of Prelim records

CHARGE(S): PC 187 (a)

TC TRIAL RPO 995 MP RP CONT TO: FOR DOB

ARRAIGNMENT-VOP (Re)appt. Conflict PD Barker ADO Ind.C./ Sub in Relieved Deft. rec copy amended/Compl/Info. WR/WFA/CSR PLEA NG NGI DENIES PRIOR ENHANCEMENT T/D set w/in statutory time WTFT DA & Deft. counsel stip disc purs to PC 1054 Adv. PC 987.8 Deft. ADMITS/DENIES VOP Crt finds VOP for Fail to OAL/PLEA in # Prob Revok Crt accepts admis; finds deft. 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 Cr. CRT accept Plea, find KIV made & Supp'd by factual basis. Ref PO RPO DV/PC1000 Assess. Deft. adv Serious felony enh.-PC667/PC969f. Mtn. Dismiss rem cts & alleg. Grtd. w/RTC&Rest. Arbuckle waiver Go No Go Time Est. Trail #

REJECTION PLEA-MTN WITHDRAW PLEA

DA does not support plea agreement Crt rejects plea Deft. mtn w/draw plea.

RPO & JUDGMENT

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

LOCAL COMMIT. Deft. 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 deft. 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

Thailda Molina, Appeals Clerk, makes a statement to the Court. The Court states the certification is complete.

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+

CT L/M/U YRS+

CT L/M/U YRS+

CT L/M/U YRS+

PC667.5(b); 1 yr. HS 11370.2; 3 yrs. 667(a); 5yrs

Tot Priors yrs Ct db/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 deft. and child victim purs to PC1202.05.

Deft. advised Parole Appeal

CFTS: Sent. Stayed to

TOTAL DETERMINATE YRS MOS

TOTAL INDETERMINATE TERM

CRC COMMITMENT Sent susp purs WIC 3051

Rept Dr. read. Rec'd into evidence.

Purs to stip Counsel Crt finds deft. 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

Deft. waives CRC exclusion hrg. Crt vacates civil addict commit

Crim proc reins deft. 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 deft. at: Main Jail Clinic, 2nd fl;

Dr's office on at am/pm

Deft. ordered to appear for Dr's appt. Report due:

COMPETENCY/SANITY FINDINGS

Crt finds deft. is/is not Competent Sane

Crim proc rem susp/reins Ref to Forensic M.H. for rept/recom:

Deft. 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/FS/D/FCU) AD EN(MH/ALC/NAR) SW

PRGM (In/Out) patient/Batterer's trtmt

SM CMS HRS: PEEP REP. PO

PDW CONS ALC USE NAR MIN V FV

PRF PROP CO-DEFT. 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

FTA: 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 CFTS All Cts On Prob. St. Parole Purs. to PC 1170(a)(3)

FSD ordered to transport Deft. to CDC CRC CYA upon acceptance

State Hospital Upon available bed space, Deft. may be rel. to rep. of:

Ret 4011.6 PC (72hr) Other Deft. to be trans. on Salvation Army bus for interview on

