

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO Criminal Department, Central Division		
TITLE OF CASE: THE PEOPLE OF THE STATE OF CALIFORNIA V. MARCUS DELON WESSON		
TRIAL BY JURY IN THE GUILT PHASE OF A CAPITAL CASE- 7TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam		Date: February 3, 2005
Court Clerk: B. Graves, W. Anderson, P. Littlefield		Department: 53 Time: 9:04 a.m.
Reporter/Tape: K. Garcia, D. Dedmon		
Bailliff: H. Franco, G. Ozburn, M. Lehman		

Plaintiff: The People of the State of California	<input type="checkbox"/> Appearing	Counsel: Lisa Gamoian - Chief Deputy District Attorney	<input checked="" type="checkbox"/> Appearing
Defendant: Marcus Delon Wesson	<input checked="" type="checkbox"/> Appearing	Counsel: Peter Jones - Chief Deputy Public Defender	<input type="checkbox"/> Pro Per
		Rafael Torres - Deputy Public Defender	<input checked="" type="checkbox"/> Appearing
			<input type="checkbox"/> Pro Per

Pursuant to the adjournment of February 2, 2005, Court reconvenes at 9:04 a.m. The People, represented by Lisa Gamoian, Chief Deputy District Attorney, and the defendant Marcus Delon Wesson, with his counsel, Peter Jones, Chief Deputy Public Defender and Rafael Torres, Deputy Public Defender are present. All parties state they are ready to proceed.

Outside the presence of the prospective jury, Peter Jones, Chief Deputy Public Defender, advises the Court of an interview of an excused juror seen on the news. The Court advises counsel to make it a part of a motion, if one is filed.

The Court and respective counsel begin individual questioning of Group B at 9:08 a.m.

Prospective juror B1 is questioned by the Court and respective counsel beginning at 9:08 a.m. and concludes at 9:17 a.m.

Prospective juror B2 is questioned by the Court and respective counsel beginning at 9:18 a.m. and concludes at 9:35 a.m.

Prospective juror B3 is questioned by the Court and respective counsel beginning at 9:36 a.m. and concludes at 9:41 a.m.

Prospective juror B4 is questioned by the Court and respective counsel beginning at 9:42 a.m. and concludes at 9:55 a.m.

Prospective juror B5 is questioned by the Court and respective counsel beginning at 9:56 a.m. and concludes at 10:06 a.m.

Prospective juror B6 is questioned by the Court and respective counsel beginning at 10:07 a.m. and concludes at 10:16 a.m.

Prospective juror B7 is questioned by the Court and respective counsel beginning at 10:17 a.m. and concludes at 10:25 a.m.

The Court stands in recess at 10:25 a.m. until 10:40 a.m.

Court Reporter Denise Dedmon replaces Kristi Garcia at 10:40 a.m.

Outside the presence of the prospective jurors, The Court and respective counsel discuss challenges for cause. Mr Jones challenges the following prospective jurors for cause: B1, B3, B4, B5, B6, B7. Ms. Gamoian the following juror: B2.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: B2, B3, B4, B5 are denied. B1, B6, B7 are excused for cause.

Prospective juror B9 is questioned by the Court and respective counsel beginning at 10:56 a.m. and concludes at 11:14 a.m.

Prospective juror B10 is questioned by the Court and respective counsel beginning at 11:16 a.m. and concludes at 11:29 a.m.

Prospective juror B11 is questioned by the Court and respective counsel beginning at 11:30 a.m. and concludes at 11:39 a.m.

Prospective juror B12 is questioned by the Court and respective counsel beginning at 11:40 a.m. and concludes at 11:48 a.m.

Prospective juror B13 is questioned by the Court and respective counsel beginning at 11:53 a.m. and concludes at 11:55 a.m.

Prospective juror B14 is questioned by the Court and respective counsel beginning at 11:56 a.m. and concludes at 12:07 p.m.

Outside the presence of the prospective jurors, The Court and respective counsel discuss challenges for cause. Mr Jones challenges the following prospective jurors for cause: B10, B11, B13, B14 Ms. Gamoian the following juror: B9.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: B10 is denied. B9, B11, B13, B14 are excused for cause.

The Court stands in recess at 12:15 p.m.

Court Reporter Kristi Garcia replaces Denise Dedmon at 1:29 p.m.

Respective counsel stipulate to excuse the following prospective jurors for cause: C10, C23, C30.

Prospective juror B17 is questioned by the Court and respective counsel beginning at 1:31 and concludes at 1:41 p.m.

Prospective juror B18 is questioned by the Court beginning at 1:41 p.m. and concludes at 1:43 p.m. No questions were asked by respective counsel.

Prospective juror B19 is questioned by the Court and respective counsel beginning at 1:43 p.m. and concludes at 1:47 p.m.

Prospective juror B20 is questioned by the Court and respective counsel beginning at 1:47 p.m. and concludes at 1:59 p.m.

Prospective juror B21 is questioned by the Court and respective counsel beginning at 1:59 p.m. and concludes at 2:07 p.m.

Prospective juror B22 is questioned by the Court and respective counsel beginning at 2:08 p.m. and concludes at 2:15 p.m.

Prospective juror B23 is questioned by the Court and respective counsel beginning at 2:16 p.m. and concludes at 2:20 p.m.

Outside the presence of the prospective jurors, The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the following prospective juror for cause: B17. Ms. Gamoian the following jurors: B18, B19, B20. Respective counsel stipulate to excuse B23.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: B17 is denied. B18, B19, B20, B23 are excused for cause.

The Court stands in recess at 2:25 p.m. until 2:50 p.m.

Court Reporter Denise Dedmon replaces Kristi Garcia at 2:50 p.m.

Prospective juror B25 is questioned by the Court and respective counsel beginning at 2:52 p.m. and concludes at 2:58 p.m.

Prospective juror B26 is questioned by the Court and respective counsel beginning at 2:59 p.m. and concludes at 3:11 p.m.

Prospective juror B27 is questioned by the Court and respective counsel beginning at 3:12 p.m. and concludes at 3:20 p.m.

Prospective juror B28 is questioned by the Court and respective counsel beginning at 3:21 p.m. and concludes at 3:31 p.m.

Prospective juror B29 is questioned by the Court and respective counsel beginning at 3:31 p.m. and concludes at 3:41 p.m.

Prospective juror B31 is questioned by the Court and respective counsel beginning at 3:42 p.m. and concludes at 3:51 p.m.

Prospective juror B32 is questioned by the Court and respective counsel beginning at 3:51 p.m. and concludes at 3:57 p.m.

The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the following prospective jurors for cause: B27, B28, B29 and B31.

The Court, after hearing and observing the prospective jurors and hearing arguments of respective counsel, rules as follows: B27, B28, B29 and B31 are all excused for cause.

Court adjourns at 4:05 p.m. until Monday, February 7, 2005, at 9:00 a.m.

The defendant is remanded to the custody of the Sheriff of Fresno County.

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