

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- 9TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam		Date: February 8, 2005
Court Clerk: B. Graves, K. Dressel-Ferris, G. Gonzales		Department: 53 Time: 9:05 a.m.
Reporter/Tape: D. Dedmon, K. Garcia		
Bailiff: H. Franco,		

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 7, 2005, Court reconvenes at 9:05 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.

The Court and respective counsel begin individual questioning of Group D at 9:05 a.m.

Prospective juror D1 is questioned by the Court and respective counsel beginning at 9:07 a.m. and concludes at 9:16 a.m.

Prospective juror D2 is questioned by the Court and respective counsel beginning at 9:18 a.m. and concludes at 9:29 a.m.

Prospective juror D3 is questioned by the Court and respective counsel beginning at 9:30 a.m. and concludes at 9:45 a.m.

Prospective juror D4 is questioned by the Court and respective counsel beginning at 9:47 a.m. and concludes at 9:57 a.m.

Prospective juror D5 is questioned by the Court and respective counsel beginning at 9:58 a.m. and concludes at 10:07 a.m.

Prospective juror D6 is questioned by the Court and respective counsel beginning at 10:08 a.m. and concludes at 10:20 a.m.

Prospective juror D7 is questioned by the Court and respective counsel beginning at 10:21 a.m. and concludes at 10:28 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: D1, D3 and D5. Ms. Gamoian has no challenges at this time.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: D1 is denied. D3 and D5 are excused for cause.

The Court stands in recess at 10:35 a.m. until 10:50 a.m.

Court Reporter Kristi Garcia replaces Denise Dedmon at 10:51 a.m.

Outside the presence of the prospective jurors, the Court informs respective counsel that D33 will be added to the 10:20 group. Also, D26 is rescheduled due to illness to February 17, 2005 at 2:20 p.m.

Prospective juror D11 is questioned by the Court and respective counsel beginning at 10:54 a.m. and concludes at 11:07 a.m.

Prospective juror D12 is questioned by the Court and respective counsel beginning at 11:07 a.m. and concludes at 11:16 a.m.

Prospective juror D13 is questioned by the Court and respective counsel beginning at 11:17 a.m. and concludes at 11:28 a.m.

Prospective juror D14 is questioned by the Court and respective counsel beginning at 11:29 a.m. and concludes at 11:38 a.m.

Prospective juror D15 is questioned by the Court and respective counsel beginning at 11:39 a.m. and concludes at 11:43 a.m.

Prospective juror D16 is questioned by the Court and respective counsel beginning at 11:44 a.m. and concludes at 11:47 a.m.

Prospective juror D33 is questioned by the Court and respective counsel beginning at 11:48 a.m. and concludes at 11:56 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: D11, D12, D13, D14 and D16. Ms. Gamoian the following juror: D33.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: D13 is denied. D11, D12, D14, D16 and D33 are excused for cause.

The Court stands in recess at 12:06 p.m.

Court Reporter Denise Dedmon replaces Kristi Garcia at 1:30 p.m.

Respective counsel stipulate to excuse the following prospective jurors for cause: E8, E14, E17, E18, E23, E26 and E27.

Prospective juror D17 is questioned by the Court and respective counsel beginning at 1:36 p.m. and concludes at 1:47 p.m.

Prospective juror D18 is questioned by the Court and respective counsel beginning at 1:48 p.m. and concludes at 1:55 p.m.

Prospective juror D19 is questioned by the Court and respective counsel beginning at 1:56 p.m. and concludes at 2:10 p.m.

Prospective juror D22 is questioned by the Court and respective counsel beginning at 2:11 p.m. and concludes at 2:18 p.m.

Prospective juror D24 is questioned by the Court and respective counsel beginning at 2:19 p.m. and concludes at 2:27 p.m.

Prospective juror D35 is questioned by the Court and respective counsel beginning at 2:29 p.m. and concludes at 2:36 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: D17, D19, D24 and D35.

The Court, after hearing and observing the prospective jurors and considering arguments of respective counsel, rules as follows: D17, D19, D24 and D35 are excused for cause.

The Court stands in recess at 2:40 p.m. until 2:55 p.m.

Court Reporter Kristi Garcia replaces Denise Dedmon at 2:55 p.m.

Outside the presence of the prospective jurors, the Court and respective counsel discuss possible challenges for cause.

Prospective juror D39 is excused for cause by stipulation of the parties at 3:05 p.m.

Prospective juror D25 is questioned by the Court and respective counsel beginning at 3:10 p.m. and concludes at 3:20 p.m.

Prospective juror D27 is questioned by the Court and respective counsel beginning at 3:21 p.m. and concludes at 3:34 p.m.

Prospective juror D29 is questioned by the Court and respective counsel beginning at 3:36 p.m. and concludes at 3:47 p.m.

Prospective juror D31 is questioned by the Court and respective counsel beginning at 3:48 p.m. and concludes at 3:59 p.m.

Prospective juror D37 is questioned by the Court and respective counsel beginning at 4:01 p.m. and concludes at 4:16 p.m.

Prospective juror D38 is questioned by the Court and respective counsel beginning at 4:17 p.m. and concludes at 4:34 p.m.

The Court and respective counsel discuss challenges for cause. Mr. Jones challenges the following prospective jurors for cause: D27 and D38. Ms. Gamoian challenges the following prospective jurors for cause: D31 and D37.

The Court, after hearing and observing the prospective jurors and hearing arguments of respective counsel, rules as follows: D31, D37 and D38 are excused for cause. D27 is denied.

Court adjourns at 4:43 p.m. until February 9, 2005, at 9:00 a.m. for further jury selection.

The defendant, Marcus Delon Wesson, remains in the custody of the Sheriff of Fresno County.

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