

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- 27TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam		Date: March 14, 2005
Court Clerk: B. Graves, W. Anderson		Department: 53 Time: 9:00 a.m.
Reporter/Tape: K. Garcia, D. Dedmon		
Bailiff: H. Franco, G. Ozburn		

Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA	<input type="checkbox"/> Appearing	Counsel: Lisa Gamoian, Chief Deputy District Attorney	<input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per
Defendant: Marcus Delon Wesson	<input checked="" type="checkbox"/> Appearing	Counsel: Peter Jones, Chief Deputy Public Defender Rafael Torres, Deputy Public Defender	<input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per

Pursuant to adjournment of March 10, 2005, Court reconvenes at 9:00 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.

Kristi Garcia is the Court Reporter at 9:00 a.m.

Chief Deputy District Attorney, Lisa Gamoian, request that the Court order back the following witnesses: Adrian Wesson, Dorian Wesson & Almae Wesson, are all ordered back at 9:00 a.m. on 3/28/05.

Court orders Serafino Wesson to return to court on 3/15/05 at 9:00 a.m.

Outside the presence of all witnesses and public, Court takes up an In Camera hearing per the request by defense counsel, Rafael Torres, Deputy Public Defender.

Further, Rafael Torres request to have the 402 Transcript unsealed for the purpose of getting the names of Uncle's . Court grants as to pages 4665 - 4678 only.

Deputy Franco advises the Court that juror, F-11 has asked some questions concerning if the defendant is shackled while in the courtroom, further discussion's of the Alanta, Georgia incidents. Court request that Deputy Franco bring the juror into the courtroom. Deputy Franco returns to the courtroom advising the court that the juror does not want to come alone with the defendant in the courtroom.

Court and counsel go in chambers at 9:20 a.m.

"In Camera" hearing is held in chambers with Lisa Gamoian, Chief Deputy District Attorney, is present on behalf of the People. Peter Jones, Chief Deputy Public Defender, and Rafael Torres, Deputy Public Defender are present and defendant, Marcus Delon Wesson is present via an electronic listening device.

Deputy Franco brings juror F-11 into chambers and discusses the concerns on the record. Juror F-11 is returned to the juryroom, and outside the presence of the juror, Court allows counsel to state any follow-up concerns. Court indicates that when the jury panel is brought into the courtroom, the Court will give an admonishment and discuss the courthouse security policy.

Court further makes an inquiry of counsel with regards to the "tape recordings". Defense counsel, Rafael Torres, advises that the tapes are in the process of being copied.

Court goes back into the courtroom at 9:28 a.m.

Court remains in a "Closed Court" setting, witness Rosa Solorio is brought into the courtroom and is ordered to be present on 3/15/05 at 9:00 a.m.

Witness Sofina Solorio is brought into the courtroom, and the Court advises her that counsel will be asking her some questions regarding the names of her uncle's who she previously stated she was molested by.

Defense counsel, Rafael Torres, Deputy Public Defender, proceeds to ask questions regarding the molestation.

Outside the presence of witness Sofina Solorio, counsel discuss her testimony regarding the names provided. Court orders that the names will be allowed to be discussed on the record before the jury.

Court further orders that with regards to the In Camera hearing in chambers, Court orders the discussion with regards to juror F-11 statements, it is ordered sealed. All other discussions in chambers will be not sealed.

Sofina Solorio having been previously sworn, resumes the witness stand and is further cross examined by defense counsel.

Court instructs the deputy to open the front doors to allow the public to enter into the courtroom.

Court advises the public of what matters were ordered sealed, and that the remaining in camera hearing will be made available to them at a later time.

The jury panel is brought into the courtroom at 9:43 a.m. Court discusses with the jurors the courthouse security measures. Court further admonishes the jury and reminds them that the defendant remains not guilty until proven guilty as to the filed allegations charged before him.

Defense counsel, Rafael Torres, Deputy Public Defender begins to cross examine Sofina Solorio at 9:45 a.m.

DEFENDANT EXHIBIT "RR", (CELL PHONE RECORD) IS MARKED FOR IDENTIFICATION.

Defendant exhibit "RR", (cell phone record) is shown to witness Sofina Solorio.

Court admonishes the jury and recesses at 10:24 a.m.

Court reconvenes at 10:45 a.m. with all parties present in court and ready to proceed.

Denise Dedmon replaces Court Reporter Kristi Garcia at 10:45 a.m.

Outside the presence of the jury, Marcus Wesson, Jr. is ordered to be present at 1:30 p.m. on 3/16/05.

The jury is brought into the courtroom at 10:48 a.m. with all parties present and ready to proceed.

Sofina Solorio having been previously sworn, resumes the witness stand and cross examination resumes.

Court admonishes the jury and recesses at 11:58 a.m. for the noon lunch break.

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

Court reconvenes at 1:32 p.m. with all parties present and the jury in their seats.

Sofina Solorio having been previously sworn, resumes the witness stand on cross examination.

DEFENDANT EXHIBIT "SS", (HANDWRITTEN LETTER DATED 12/31/99) IS MARKED FOR IDENTIFICATION.

Defendant exhibit "SS", (handwritten letter dated 12/31/99) is shown to witness Sofina Solorio.

Re-direct examination of witness Sofina Solorio by Lisa Gamoian, Chief Deputy District Attorney begins at 2:34 p.m.

Per the request of Lisa Gamoian, Chief Deputy District Attorney, Sofina Solorio steps down off the witness stand and shows her scar (top center portion of right breast) to the jury.

Re-cross examination of witness Sofina Solorio by Rafael Torres, Deputy Public Defender begins at 2:40 p.m.

Witness Sofina Solorio at 2:41 p.m., is excused and ordered subject to recall. Court further orders witness Sofina Solorio to stay in contact with the District Attorney's Office.

Court admonishes the jury and recesses at 2:41 p.m.

Denise Dedmon replaces Court Reporter Kristi Garcia at 3:00 p.m.

Court reconvenes at 3:02 p.m. with all parties present and the jury in their seats.

Ruby Bella Louise Ortiz is sworn and testifies on behalf of the people on direct examination beginning at 3:05 p.m.

Court admonishes the jury and adjourns court at 4:25 p.m. until 9:00 a.m. on 3/15/05 .

Defendant remains remanded to the custody of the Sheriff pending the next hearing date.

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