

APR 23 10 10 AM '04

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO  
CENTRAL DIVISION

THE PEOPLE OF THE STATE OF  
CALIFORNIA,

Plaintiff

vs.

Marcus Delon Wesson

Defendant(s)

CASE NUMBERS:

Court No. F04901785-6

Arrestment Date: 04/27/2004

Department: CEN 96

DA FILE NO: 2004H9621

INFORMATION

The District Attorney of the County of Fresno, by this information alleges that:

COUNT 1

On or about March 12, 2004, in the above named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Sebhrenah April Wesson, a human being.

It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has been convicted of more than one offense of Murder in the First or Second degree, within the meaning of Penal code section 190.2(a)(3).

1 It is further alleged that said defendant Marcus Delon Wesson personally and  
2 intentionally discharged a firearm which proximately caused great bodily injury or death to  
3 Sebhrenah April Wesson within the meaning of Penal code section 12022.53(d).

4 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
5 commission and attempted commission of the above offense a principal in said offense  
6 was armed with a firearm(s), to wit, a firearm, said arming not being an element of the  
7 above offense, within the meaning of Penal Code section 12022(a)(1).

8 \*\*\*\*\*

9 COUNT 2

10 On or about March 12, 2004, in the above named judicial district, the crime of  
11 MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by  
12 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Elizabeth  
13 Breahi Kina Wesson, a human being.

14 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
15 been convicted of more than one offense of Murder in the First or Second degree, within  
16 the meaning of Penal code section 190.2(a)(3).

17 It is further alleged that said defendant Marcus Delon Wesson personally and  
18 intentionally discharged a firearm which proximately caused great bodily injury or death to  
19 Elizabeth Breahi Kinal Wesson within the meaning of Penal code section 12022.53(d).

20 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
21 commission and attempted commission of the above offense a principal in said offense  
22 was armed with a firearm(s), to wit, a firearm, said arming not being an element of the  
23 above offense, within the meaning of Penal Code section 12022(a)(1).

24 \*\*\*\*\*

25 COUNT 3

26 On or about March 12, 2004, in the above named judicial district, the crime of  
27 MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by  
28 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Jeva St.  
Vladensvspry Wesson, a human being.

1 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
2 been convicted of more than one offense of Murder in the First or Second degree, within  
3 the meaning of Penal code section 190.2(a)(3).

4 It is further alleged that said defendant Marcus Delon Wesson personally and  
5 intentionally discharged a firearm which proximately caused great bodily injury or death to  
6 Jeva St. Vladensvspry Wesson within the meaning of Penal code section 12022.53(d).

7 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
8 commission and attempted commission of the above offense a principal in said offense  
9 was armed with a firearm(s), to wit, a firearm, said arming not being an element of the  
10 above offense, within the meaning of Penal Code section 12022(a)(1).

11 \*\*\*\*\*

12 COUNT 4

13 On or about March 12, 2004, in the above named judicial district, the crime of  
14 MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by  
15 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Sedonia  
16 Solorio Wesson, a human being.

17 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
18 been convicted of more than one offense of Murder in the First or Second degree, within  
19 the meaning of Penal code section 190.2(a)(3).

20 It is further alleged that said defendant(s) Marcus Delon Wesson personally and  
21 intentionally discharged a firearm which proximately caused great bodily injury or death to  
22 Sedonia Solorio Wesson within the meaning of Penal Code section 12022.53(d).

23 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
24 commission and attempted commission of the above offense a principal in said offense  
25 was armed with a firearm(s), to wit, Firearm, said arming not being an element of the  
26 above offense, within the meaning of Penal Code section 12022(a)(1).

27 \*\*\*\*\*

28 COUNT 5

On or about March 12, 2004, in the above named judicial district, the crime of  
MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by

1 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Marshey  
2 St. Christopher Wesson, a human being.

3 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
4 been convicted of more than one offense of Murder in the First or Second degree, within  
5 the meaning of Penal code section 190.2(a)(3).

6 It is further alleged that said defendant(s) Marcus Delon Wesson personally and  
7 intentionally discharged a firearm which proximately caused great bodily injury or death to  
8 Marshey St. Christopher Wesson within the meaning of Penal Code section 12022.53(d).

9 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
10 commission and attempted commission of the above offense a principal in said offense  
11 was armed with a firearm(s), to wit, Firearm, said arming not being an element of the  
12 above offense, within the meaning of Penal Code section 12022(a)(1).

13 \*\*\*\*\*

14 **COUNT 6**

15 On or about March 12, 2004, in the above named judicial district, the crime of  
16 MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by  
17 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Ethan St.  
18 Laurent Wesson, a human being.

19 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
20 been convicted of more than one offense of Murder in the First or Second degree, within  
21 the meaning of Penal code section 190.2(a)(3).

22 It is further alleged that said defendant(s) Marcus Delon Wesson personally and  
23 intentionally discharged a firearm which proximately caused great bodily injury or death to  
24 Ethan St. Laurent Wesson within the meaning of Penal Code section 12022.53(d).

25 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
26 commission and attempted commission of the above offense a principal in said offense  
27 was armed with a firearm(s), to wit, Firearm, said arming not being an element of the  
28 above offense, within the meaning of Penal Code section 12022(a)(1).

\*\*\*\*\*

**COUNT 7**

On or about March 12, 2004, in the above named judicial district, the crime of

1 MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by  
2 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Illabella  
3 Carrie Wesson, a human being.

4 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
5 been convicted of more than one offense of Murder in the First or Second degree, within  
6 the meaning of Penal code section 190.2(a)(3).

7 It is further alleged that said defendant(s) Marcus Delon Wesson personally and  
8 intentionally discharged a firearm which proximately caused great bodily injury or death to  
9 Illabella Carrie Wesson within the meaning of Penal Code section 12022.53(d).

10 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
11 commission and attempted commission of the above offense a principal in said offense  
12 was armed with a firearm(s), to wit, Firearm, said arming not being an element of the  
13 above offense, within the meaning of Penal Code section 12022(a)(1).

14 \*\*\*\*\*

15 COUNT 8

16 On or about March 12, 2004, in the above named judicial district, the crime of  
17 MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by  
18 Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Aviv  
19 Dominique Wesson, a human being.

20 It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has  
21 been convicted of more than one offense of Murder in the First or Second degree, within  
22 the meaning of Penal code section 190.2(a)(3).

23 It is further alleged that said defendant(s) Marcus Delon Wesson personally and  
24 intentionally discharged a firearm which proximately caused great bodily injury or death to  
25 Aviv Dominique Wesson within the meaning of Penal Code section 12022.53(d).

26 It is further alleged as to defendant(s) Marcus Delon Wesson, that in the  
27 commission and attempted commission of the above offense a principal in said offense  
28 was armed with a firearm(s), to wit, Firearm, said arming not being an element of the  
above offense, within the meaning of Penal Code section 12022(a)(1).

\*\*\*\*\*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COUNT 9

On or about March 12, 2004, in the above named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Marcus Delon Wesson, who did unlawfully, and with malice aforethought murder Johnathon St. Charles Wesson, a human being.

It is further alleged that in this proceeding, the defendant Marcus Delon Wesson has been convicted of more than one offense of Murder in the First or Second degree, within the meaning of Penal code section 190.2(a)(3).

It is further alleged that said defendant(s) Marcus Delon Wesson personally and intentionally discharged a firearm which proximately caused great bodily injury or death to Jonathon St. Charles Wesson within the meaning of Penal Code section 12022.53(d).

It is further alleged as to defendant(s) Marcus Delon Wesson, that in the commission and attempted commission of the above offense a principal in said offense was armed with a firearm(s), to wit, Firearm, said arming not being an element of the above offense, within the meaning of Penal Code section 12022(a)(1).

\*\*\*\*\*

COUNT 10

On or about January 1, 1988 through October 20, 1989, in the above named judicial district, the crime of CONTINUOUS SEXUAL ABUSE, in violation of PENAL CODE SECTION 288.5, a felony, was committed by Marcus Delon Wesson, who did willfully and unlawfully engage in three or more acts of "substantial sexual conduct", as defined in Penal Code section 1203.066(b), and three or more acts in violation of Section 288 with Jane Doe #1, a child under the age of 14 years, while the defendant(s) resided with, and had recurring access to, the child.

It is further alleged, pursuant to Penal Code section 803(g) that a complaint was filed within one year from the date the victim, who was under 18 years old at the time the crime was committed, reported the crime to a California law enforcement agency. There is independent evidence that clearly and convincingly corroborates the victim's allegation. Further, that the statute of limitations under 800 and 801 has expired and the crime involves substantial sexual conduct as described in Penal code section 1203.066(b).

\*\*\*\*\*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COUNT 11

On or about January 1, 1990 through December 31, 1990, in the above named judicial district, the crime of FORCIBLE ORAL COPULATION, in violation of Penal Code section 288a(c)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully participate in an act of oral copuoation with Jane Doe #1, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

It is further alleged, pursuant to Penal Code section 803(g) that a complaint was filed within one year from the date the victim, who was under 18 years old at the time the crime was committed, reported the crime to a California law enforcement agency. There is independent evidence that clearly and convincingly corroborates the victim's allegation. Further, that the statute of limitations under 800 and 801 has expired and the crime involves substantial sexual conduct as described in Penal code section 1203.066(b).

\*\*\*\*\*

COUNT 12

On or about January 1, 1991 through October 20, 1991, in the above named judicial district, the crime of FORCIBLE ORAL COPULATION, in violation of Penal Code section 288a(c)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully participate in an act of oral copuoation with Jane Doe #1, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

It is further alleged, pursuant to Penal Code section 803(g) that a complaint was filed within one year from the date the victim, who was under 18 years old at the time the crime was committed, reported the crime to a California law enforcement agency. There is independent evidence that clearly and convincingly corroborates the victim's allegation. Further, that the statute of limitations under 800 and 801 has expired and the crime involves substantial sexual conduct as described in Penal code section 1203.066(b).

\*\*\*\*\*

COUNT 13

On or about January 1, 1988 through April 22, 1991, in the above named judicial district, the crime of CONTINUOUS SEXUAL ABUSE, in violation of Penal Code section

1 288.5, a felony, was committed by Marcus Delon Wesson, who did willfully and unlawfully  
2 engage in three or more acts of "substantial sexual conduct", as defined in Penal Code  
3 section 1203.066(b), and three or more acts in violation of section 288 with Jane Doe #2, a  
4 child under the age of 14 years, while the defendant(s) resided with, and had recurring  
5 access to the child.

6 It is further alleged, pursuant to Penal Code section 803(g) that a complaint was  
7 filed within one year from the date the victim, who was under 18 years old at the time the  
8 crime was committed, reported the crime to a California law enforcement agency. There is  
9 independent evidence that clearly and convincingly corroborates the victim's allegation.  
10 Further, that the statute of limitations under 800 and 801 has expired and the crime  
involves substantial sexual conduct as described in Penal code section 1203.066(b).

11 \*\*\*\*\*

12 **COUNT 14**

13 On or about January 1, 1995 through April 22, 1995, in the above named judicial  
14 district, the crime of FORCIBLE RAPE, in violation of Penal Code section 261(a)(2), a  
15 felony, was committed by Marcus Delon Wesson, who did unlawfully have and accomplish  
16 an act of sexual intercourse with a person, to wit, Jane Doe #2, not his/her spouse, against  
17 said person's will, by means of force, violence, duress, menace and fear of immediate and  
unlawful bodily injury on said person and another.

18 It is further alleged, pursuant to Penal Code section 803(g) that a complaint was  
19 filed within one year from the date the victim, who was under 18 years old at the time the  
20 crime was committed, reported the crime to a California law enforcement agency. There is  
21 independent evidence that clearly and convincingly corroborates the victim's allegation.  
22 Further, that the statute of limitations under 800 and 801 has expired and the crime  
involves substantial sexual conduct as described in Penal code section 1203.066(b).

23 \*\*\*\*\*

24 **COUNT 15**

25 On or about January 1, 2002, through December 31, 2002, in the above named  
26 judicial district, the crime of FORCIBLE RAPE, in violation of Penal Code section  
27 261(a)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully have and  
28 accomplish an act of sexual intercourse with a person, to wit, Jane Doe #2, not his/her

1 spouse, against said person's will, by means of force, violence, duress, menace and fear o  
2 immediate and unlawful bodily injury on said person and another.

3 \*\*\*\*\*

4 COUNT 16

5 On or about January 1, 1988 through November 6, 1991, in the above named  
6 judicial district, the crime of CONTINUOUS SEXUAL ABUSE, in violation of Penal Code  
7 section 288.5, a felony, was committed by Marcus Delon Wesson, who did willfully and  
8 unlawfully engage in three or more acts of "substantial sexual conduct", as defined in  
9 Penal Code section 1203.066(b), and three or more acts in violation of section 288 with  
10 Jane Doe #3, a child under the age of 14 years, while the defendant(s) resided with, and  
11 had recurring access to the child.

12 It is further alleged, pursuant to Penal Code section 803(g) that a complaint was  
13 filed within one year from the date the victim, who was under 18 years old at the time the  
14 crime was committed, reported the crime to a California law enforcement agency. There is  
15 independent evidence that clearly and convincingly corroborates the victim's allegation.  
16 Further, that the statute of limitations under 800 and 801 has expired and the crime  
17 involves substantial sexual conduct as described in Penal code section 1203.066(b).

18 \*\*\*\*\*

19 COUNT 17

20 On or about January 1, 1995, through November 6, 1995, in the above named  
21 judicial district, the crime of FORCIBLE RAPE, in violation of Penal Code section  
22 261(a)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully have and  
23 accomplish an act of sexual intercourse with a person, to wit, Jane Doe #3, not his/her  
24 spouse, against said person's will, by means of force, violence, duress, menace and fear  
25 of immediate and unlawful bodily injury on said person and another.

26 It is further alleged, pursuant to penal Code section 803(g) that a complaint was  
27 filed within one year from the date the victim, who was under 18 years old at the time the  
28 crime was committed, reported the crime to a California law enforcement agency. There is  
independent evidence tht clearly and convincingly corroborates the victim's allegation.  
Further, that the statute of limitations under 800 and 801 has expired and the crime  
involves substantial sexual conduct as described in Penal Code section 1203.066(b).

1 \*\*\*\*\*

2 COUNT 18

3 On or about January 1, 1988 through November 14, 1992, in the above named  
4 judicial district, the crime of CONTINUOUS SEXUAL ABUSE, in violation of Penal Code  
5 section 288.5, a felony, was committed by Marcus Delon Wesson, who did willfully and  
6 unlawfully engage in three or more acts of "substantial sexual conduct", as defined in  
7 Penal Code section 1203.066(b), and three or more acts in violation of section 288 with  
8 Jane Doe #4, a child under the age of 14 years, while the defendant(s) resided with, and  
9 had recurring access to the child.

10 It is further alleged, pursuant to penal Code section 803(g) that a complaint was  
11 filed within one year from the date the victim, who was under 18 years old at the time the  
12 crime was committed, reported the crime to a California law enforcement agency. There is  
13 independent evidence tht clearly and convincingly corroborates the victim's allegation.  
14 Further, that the statute of limitations under 800 and 801 has expired and the crime  
15 involves substantial sexual conduct as described in Penal Code section 1203.066(b).

16 \*\*\*\*\*

17 COUNT 19

18 On or about November 15, 1992, through December 31, 1993, in the above named  
19 judicial district, the crime of FORCIBLE RAPE, in violation of Penal Code section  
20 261(a)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully have and  
21 accomplish an act of sexual intercourse with a person, to wit, Jane Doe #4, not his/her  
22 spouse, against said person's will, by means of force, violence, duress, menace and fear  
23 of immediate and unlawful bodily injury on said person and another.

24 It is further alleged, pursuant to penal Code section 803(g) that a complaint was  
25 filed within one year from the date the victim, who was under 18 years old at the time the  
26 crime was committed, reported the crime to a California law enforcement agency. There is  
27 independent evidence tht clearly and convincingly corroborates the victim's allegation.  
28 Further, that the statute of limitations under 800 and 801 has expired and the crime  
involves substantial sexual conduct as described in Penal Code section 1203.066(b).

\*\*\*\*\*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COUNT 20

On or about January 1, 1998, through October 20, 1999, in the above named judicial district, the crime of FORCIBLE RAPE, in violation of Penal Code section 261(a)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Jane Doe #5, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

It is further alleged, pursuant to penal Code section 803(g) that a complaint was filed within one year from the date the victim, who was under 18 years old at the time the crime was committed, reported the crime to a California law enforcement agency. There is independent evidence tht clearly and convincingly corroborates the victim's allegation. Further, that the statute of limitations under 800 and 801 has expired and the crime involves substantial sexual conduct as described in Penal Code section 1203.066(b).

\*\*\*\*\*

COUNT 21

On or about September 1, 2001, through September 9, 2002, in the above named judicial district, the crime of FORCIBLE RAPE, in violation of Penal Code section 261(a)(2), a felony, was committed by Marcus Delon Wesson, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Jane Doe #5, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

\*\*\*\*\*

COUNT 22

On or about January 1, 1988 through December 27, 1997, in the above named judicial district, the crime of CONTINUOUS SEXUAL ABUSE, in violation of Penal Code section 288.5, a felony, was committed by Marcus Delon Wesson, who did willfully and unlawfully engage in three or more acts of "substantial sexual conduct", as defined in Penal Code section 1203.066(b), and three or more acts in violation of section 288 with Jane Doe #6, a child under the age of 14 years, while the defendant(s) resided with, and had recurring access to the child.

1 It is further alleged, pursuant to penal Code section 803(g) that a complaint was  
2 filed within one year from the date the victim, who was under 18 years old at the time the  
3 crime was committed, reported the crime to a California law enforcement agency. There is  
4 independent evidence tht clearly and convincingly corroborates the victim's allegation.  
5 Further, that the statute of limitations under 800 and 801 has expired and the crime  
6 involves substantial sexual conduct as described in Penal Code section 1203.066(b).

7 \*\*\*\*\*

8 COUNT 23

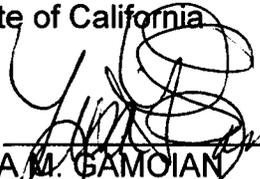
9 On or about August 8, 2001, through August 7, 2002, in the above named judicial  
10 district, the crime of FORCIBLE RAPE, in violation of Penal Code section 261(a)(2), a  
11 felony, was committed by Marcus Delon Wesson, who did unlawfully have and accomplish  
12 an act of sexual intercourse with a person, to wit, Jane Doe #7, not his/her spouse, against  
13 said person's will, by means of force, violence, duress, menace and fear of immediate and  
14 unlawful bodily injury on said person and another.

15 \* \* \* \* \*

16 Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting  
17 that defense counsel provide discovery to the People as required by Penal Code Section  
18 1054.3.

19 THIS INFORMATION CONSISTS OF 23 COUNT(S).

20 ELIZABETH A. EGAN  
21 DISTRICT ATTORNEY  
22 County of Fresno  
23 State of California

24 By:   
25 LISA M. GAMOIAN  
26 Chief Deputy District Attorney

27 Agency: Fresno Police Department

Agency Report Number: 04-22345

28 Defendant	Birth Date	Booking No.
Marcus Delon Wesson	08/22/1946	04-7556