

<b>SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO</b> Criminal Department, Central Division		
TITLE OF CASE: <b>THE PEOPLE OF THE STATE OF CALIFORNIA V. MARCUS DELON WESSON</b>		
<b>TRIAL BY JURY IN THE GUILT PHASE OF A CAPITAL CASE- 67TH DAY</b>		Case Number: <b>F04901785-6</b>
Judge/Temporary Judge: <b>R. L. Putnam</b>		Date: <b>May 18, 2005</b>
Court Clerk: <b>B. Graves/W. Anderson</b>		Department: <b>53</b> Time: <b>10:45</b>
Reporter/Tape: <b>K. Garcia</b>		
Bailliff: <b>H. Franco, P. Bellefeuille, G. Ozburn</b>		

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

Pursuant to adjournment of May 17, 2005, Court reconvenes at 10:45 a.m. The People represented by Lisa Gamoian, Chief Deputy District Attorney, and the defendant, Marcus Delon Wesson, with counsel, Peter Jones, Chief Public Defender and Rafael Torres, Deputy Public Defender are present. All parties state that they are ready to proceed. The jury panel is not present.

Court Reporter Kristi Garcia is present at 10:45 a.m.

Lisa Gamoina, Chief Deputy District Attorney, states for the record that the respective parties have reached stipulations to 5 of the 6 witness testimonies from the FBI. Ms. Gamoian will read the 5 stipulations to the jury on May 19, 2005. The respective parties will continue to work on the 6<sup>th</sup> stipulation.

The respective parties stipulate to publish all of the diaries to the jury on May 19, 2005 outside the presence of the Court, respective counsel and the defendant, Marcus Delon Wesson.

The respective parties stipulate to attach the translations of Marcus Wesson writings to the original writings. The original writings and translations will be published to the jury on May 19, 2005, outside the presence of the Court, respective counsel and the defendant, Marcus Delon Wesson.

The following Peoples exhibits were marked for identification and received into evidence:

PEOPLES EXHIBIT 650(A)(14 PAGE LETTER WRITTEN BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 650(B)(TRANSLATION OF 14 PAGE LETTER WRITTEN BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 658(A)(TRANSLATION OF 3 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 659(A)(TRANSLATION OF 4 PAGE HANDWRITTEN DOCUMENT BY RUBY TO BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 660(A)(TRANSLATION OF 5 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 663(A)(TRANSLATION OF 5 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 667(A)(TRANSLATION OF 4 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 668(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 670(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 671(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 672(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 673(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 674(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 683(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 684(A)(TRANSLATION OF 6 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 685(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 686(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 687(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 690(A)(TRANSLATION OF 1 PAGE HANDWRITTEN DOCUMENT BY MARCUS WESSON) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 812(3 PAGE DOCUMENT FROM DEPARTMENT OF JUSTICE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 813(5 PAGE DOCUMENT FROM DEPARTMENT OF JUSTICE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 814(PHOTO COPY OF A 2 PAGE HANDWRITTEN LETTER BY MARCUS WESSON TO MATT LEEDY) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

PEOPLES 814(A)(TRANSLATION OF 2 PAGE HANDWRITTEN LETTER BY MARCUS WESSON TO MATT LEEDY) MARKED FOR IDENTIFICATION AND RECEIVED INTO EVIDENCE BY STIPULATION.

The following Peoples exhibits, having been previously marked, are received into evidence: 687, 677(A), 636(F), 675(B), 665, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 680. Ms. Gamoian request that these exhibits be published to the jury on May 19, 2005. Request is granted.

Ms. Gamoian requests that the following exhibit numbers, having been previously marked and received into evidence, be published to the jury on May 19, 2005:

676(A), 636(E), 636(A), 636(B), 636(C), 640, 638(a), 644, 643, 645, 641, 688(A), 636(D), 656, 639(B), 691, 681, 682, 646, 642, 639(C), 675(a), 639(A), 637(B), YY(1), 655, 647 and 651(B). Request is granted.

The following Peoples exhibits, having been previously marked, are received into evidence: 807, 808, 809, 810(A), 810(B), 810(C), 810(D), 810(E) and Defense exhibit HHH.

The Court and respective counsel discuss completing the EC 402 hearing on Dr. Kris Monhandie on May 20, 2005. The Court orders the EC 402 hearing be closed to the public.

The Court and respective counsel discuss the witnesses to be called on May 19, 2005. Ms. Gamoian states that she will call Detective Leal and D.A. Investigator Richard Orosco.

The Court adjourns at 11:23 a.m. until May 19, 2005 at 9:00 a.m. for further jury trial.

Defendant, Marcus Delon Wesson, remains in the custody of the Fresno County Sheriff pending next hearing date.

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