

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- 68TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam Court Clerk: B. Graves/W. Anderson Reporter/Tape: D. Dedmon Bailiff: H. Franco, P. Bellefeuille, G. Ozburn		Date: May 19, 2005
		Department: 53 Time: 9:00 a.m.

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 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 18, 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 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 Denise Dedmon is present at 9:00 a.m.

PEOPLES EXHIBIT 815(STIPULATION: TESTIMONY OF JOHN A. THADDIE, Ph. D.) MARKED FOR IDENTIFICATION.

PEOPLES EXHIBIT 816(STIPULATION: TESTIMONY OF ERIK A. CARPENTER) MARKED FOR IDENTIFICATION.

PEOPLES EXHIBIT 817(STIPULATION: TESTIMONY OF CHARLES A. PETERS) MARKED FOR IDENTIFICATION.

PEOPLES EXHIBIT 818(STIPULATION: TESTIMONY OF ROBERT P. ROONEY, Ph.D.) MARKED FOR IDENTIFICATION.

PEOPLES EXHIBIT 819(STIPULATION: TESTIMONY OF MICHAEL W. ENNIS) MARKED FOR IDENTIFICATION.

COURT EXHIBIT 40(LIST OF EXHIBIT NUMBERS FOR DIARIES) MARKED FOR IDENTIFICATION.

COURT EXHIBIT 41(LIST OF EXHIBIT NUMBERS OF THE WRITINGS OF MARCUS WESSON) MARKED FOR IDENTIFICATION.

Lisa Gamoian, Chief Deputy District Attorney, request that the following witness be ordered to return:
Elizabeth Wesson is present and ordered to be present on May 31, 2005 at 9:00 a.m.

The jury returns to the courtroom at 9:12 a.m. and the trial resumes.

Detective Carlos Leal, Fresno Police Department, having been previously sworn, resumes the witness stand at 9:12 a.m. for further direct examination by Lisa Gamoian, Chief Deputy District Attorney.

Rafael Torres, Deputy Public Defender, begins cross examination at 9:19 a.m. of Detective Carlos Leal, Fresno Police Department. Witness is excused at 9:21 a.m., subject to recall.

Richard Cruz Orosco, Senior D. A. Investigator, is sworn at 9:22 a.m. and testifies on direct examination by Lisa Gamoian, Chief Deputy District Attorney.

The witness was shown the following exhibits: 735, 735(A), 736, 736(A) and 811.

Rafael Torres, Deputy Public Defender, begins cross examination at 9:38 a.m. of Richard Cruz Orosco, Senior D.A. Investigator. Witness is excused at 9:41 a.m., subject to recall.

Lisa Gamoian, Chief Deputy District Attorney, reads the following Peoples exhibits to the jury beginning at 9:43 a.m.: 815, 816, 817, 818 and 819 and concludes at 10:02 a.m.

The following Peoples exhibits, having been previously marked, are received into evidence: 811, 815, 816, 817, 818 and 819.

The Court admonishes the jury and adjourns at 10:06 a.m. until May 23, 2005 at 9:00 a.m. for further jury trial.

Off the record and outside the presence of the Court, respective counsel and the defendant, Marcus Delon Wesson the jury panel is allowed to review the diaries and writings of Marcus Delon Wesson that have been received into evidence.

Off the record and outside the presence of the Court, respective counsel and the defendant, Marcus Delon Wesson, the following Defense exhibits are marked for identification:

DEFENSE EXHIBIT III(8 1/2 X 12 PHOTO - Woman holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT JJJ(8 1/2 X 12 PHOTO - Woman kneeling holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT KKK(8 1/2 X 12 PHOTO - Woman kneeling holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT LLL(8 1/2 X 12 PHOTO - woman standing holding gun sideways on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT MMM(8 1/2 X 12 PHOTO - woman kneeling on floor leaning forward holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT NNN(8 1/2 X 12 PHOTO -woman kneeling on floor holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT OOO(8 1/2 X 12 PHOTO - woman standing holding gun sideways on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT PPP(8 1/2 X 12 PHOTO - woman standing holding gun sideways at a slight angle on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT QQQ(8 1/2 X 12 PHOTO - woman standing holding gun sideways at a slight angle on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT RRR(8 1/2 X 12 PHOTO - close-up left side view of woman holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT SSS(8 1/2 X 12 PHOTO - left side view of woman holding gun upside down on right eye) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT TTT(8 1/2 X 12 PHOTO - woman having a gun being held sideways pointed at her face) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT UUU(8 1/2 X 12 PHOTO - close-up of woman having a gun pointed at her face) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT VVV(8 1/2 X 12 PHOTO - woman having a gun pointed at her face) MARKED FOR IDENTIFICATION.

DEFENSE EXHIBIT WWW(8 1/2 X 12 PHOTO - woman holding a gun upside down on her right eye) MARKED FOR IDENTIFICATION.

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

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