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FILED

MAY 06 2004

FRESNO COUNTY SUPERIOR COURT

By _____ DEPUTY

8
9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO**

10 **CRIMINAL DIVISION**

11 PEOPLE OF THE STATE OF
12 CALIFORNIA

Case No. F049017856

13
14 Plaintiffs,

**NOTICE OF MOTION AND MOTION
FOR RECONSIDERATION OF COURT
ORDER THAT DEFENDANT DRESS
OUT FOR EVERY HEARING**

15 v.

16 MARCUS WESSON,

Date: June 14, 2004

Time: 9:00 a.m.

Dept: 53

17 Defendant.

18
19 TO DEFENDANT MARCUS WESSON AND HIS ATTORNEY OF RECORD, PETER
20 JONES, PUBLIC DEFENDER'S OFFICE:

21 **YOU ARE HEREBY NOTIFIED** that on June 14, 2004 at 9:00 a.m. or as soon
22 thereafter as the matter may be heard in Department 53 of the above-entitled Court, the
23 Fresno County Sheriff's Department will and does move that the Court reconsider its
24 April 27, 2004 order that defendant dress out for every hearing.

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This motion is based on this Notice of Motion, the accompanying Points and Authorities, the accompanying Declaration of Lieutenant Joe M. Leon, and on such oral argument as may be made at the time set for hearing.

Dated: May 5, 2004

PHILLIP S. CRONIN
County Counsel



By **J. WESLEY MERRITT**
Chief Deputy County Counsel

1 PROOF OF SERVICE

2 **PEOPLE V. MARCUS WESSON**
3 **Fresno County Superior Court No. F049017856**

4 I, DEBRA C. LUCAS, declare as follows:

5 I am a resident of the State of California, over the age of eighteen years, and
6 not a party to the within action. I am employed at the Fresno County Counsel's Office,
2220 Tulare Street, Fifth Floor, Fresno, California, 93721.

7 On May 5, 2004, I served a copy(ies) of the within

8 **Notice of Motion and Motion for Reconsideration of Court Order That Defendant**
9 **Dress Out for Every Hearing; Memorandum of Points and Authorities in**
10 **Support of Motin for Reconsideration of Court Order That Defendant Dress Out**
11 **for Every Hearing and Declaration of Joe M. Leon**

11 on the interested party(ies) in said action addressed as follows:

12 **PETER JONES** Counsel for Defendant
13 **FRESNO COUNTY PUBLIC DEFENDER**
14 **2220 TULARE STREET, 4TH FLOOR**
FRESNO, CA 93721

15 **LISA GAMOIAN** Prosecutor
16 **CHIEF DEPUTY DISTRICT ATTORNEY**
17 **2220 TULARE STREET, 10TH FLOOR**
FRESNO, CA 93721

18 by placing the document(s) listed above for mailing in the United States mail at
19 Fresno, California, in accordance with my employer's ordinary practice for
collection and processing of mail, and addressed as set forth above.

20 by transmitting via facsimile the above listed document(s) to the fax number(s)
21 set forth above on this date before 5:00 p.m. pacific standard time.

22 by personally delivering the document(s) listed above to the person(s) at the
23 address(es) set forth above.

24 by placing the document(s) listed above in a sealed envelope, and placing the
25 same for overnight delivery by Federal Express at Fresno, California.

26 I declare under penalty of perjury under the laws of the State of California that
27 the foregoing is true and correct.

28 Executed on May 5, 2004, at Fresno, California.


DEBRA C. LUCAS