

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 PENALTY PHASE OF A CAPITAL CASE– 5TH DAY		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam Court Clerk: B. Graves, W. Anderson Reporter/Tape: K. Garcia, D. Dedmon Bailiff: H. Franco, G. Ozburn, M. Duenes		Date: June 27, 2005
		Department: 53 Time: 9:07 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 Public Defender Rafael Torres, Deputy Public Defender	<input type="checkbox"/> Pro Per <input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per

Court Reporter, Kristi Garcia is present at 9:07 a.m.

Outside the presence of the jury, " In Chambers" conference is held at 9:07 a.m. with Lisa Gamoian, Chief Deputy District Attorney, on behalf of the People. Rafael Torres, Deputy Public Defender and Peter Jones, Chief Deputy Public Defender are present on behalf of Marcus Delon Wesson who is present with the aid of an electronic listening device. Juror #5 is brought into chambers and the Court inquires if Juror #5 is well enough to continue today. Juror #5 states she is well enough to proceed. Juror # 5 is returned to the juryroom.

Pursuant to adjournment of June 24, 2005, Court reconvenes at 9:12 a.m. The People represented by Lisa Gamoian, Chief Deputy District Attorney, and the defendant, Marcus Delon Wesson, with counsel, Peter Jones, Chief Deputy Public Defender and Rafael Torres, Deputy Public Defender are present. All parties state that they are ready to proceed.

The Jury enters the courtroom at 9:12 a.m. and the Penalty Phase resumes.

Peter Jones, Chief Deputy Public Defender, begins closing arguments on behalf of the defendant, Marcus Delon Wesson, at 9:13 a.m. and concludes at 10:00 a.m.

The Court instructs the jury on the laws applicable in this case beginning at 10:00 a.m. and concludes with the second phase of the instructions at 10:06 a.m.

The jury, in the custody of a sworn deputy, retires to the juryroom to begin deliberations at 10:07 a.m,

The Court stands in recess at 10:08 a.m.

At the request of the jury, they take a break from deliberating at 10:08 a.m., and upon the return of all 12 jurors, deliberations begin at 10:36 a.m.

At 10:48 a.m. the jury request poster paper. The sworn Deputy, Henry Franco, provides the jury with poster paper.

At 11:08 a.m. the jury requests a chalk board and tape. The sworn Deputy, Henry Franco, provides the jury with a chalk board and tape.

At the request of the jury, they are taken to lunch by the sworn deputy at 12:05 p.m. The jury returns to the juryroom at 1:25 p.m. and with all 12 jurors present, deliberations resume.

At the request of the jury, they take a break from deliberating at 2:30 p.m., and upon the return of all 12 jurors, deliberations resume at 2:50 p.m.

At the request of the jury, the jurors leave for the evening at 4:30 p.m. until 9:00 a.m. on June 28, 2005 for further deliberations.

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

-o0o-