

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– 78TH DAY	
Judge/Temporary Judge: R. L. Putnam	
Court Clerk: W. Anderson/ B. Graves	
Reporter/Tape: K. Garcia, D. Dedmon	
Bailiff: H. Franco, P. Bellefeuille	
Case Number: F04901785-6	
Date: June 3, 2005	
Department: 53	Time: 9:05 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	<input checked="" type="checkbox"/> Appearing
		Rafael Torres, Deputy Public Defender	<input type="checkbox"/> Pro Per

Pursuant to adjournment of June 2, 2005, and upon the return of all 12 jurors, deliberations resume at 9:05 a.m.

Court Reporter, Kristi Garcia is present at 9:00 a.m.

At the request of the jury, they take a break from deliberating at 9:58 a.m., and upon the return of all 12 jurors, deliberations resume at 10:10 a.m.

Court reconvenes at 10:25 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.

Outside the presence of the jurors, Court discusses the following with the respective counsel:

- Extra copies of jury instructions for the jury panel - Court grants
- Set up of computer with neutral person running computer - issue pending with the Court
- Alternate jurors present during reading of verdicts - granted
- Family present during reading of the verdict - Exclusion order will stand
- Possible Penalty Phase - No discovery received as of yet by the district attorney's office. Defense counsel to provide discovery on 6/6/05 . Deputy District Attorney estimates 1/2 day for her side on the Penalty Phase.

Court orders all parties to be present back in court on 6/6/05 and 6/7/05 at 9:00 a.m.

Rafael Torres, Deputy Public Defender, advises the Court that the defendant does not wish to be present during the deliberation time and the reading of the verdict. Lisa Gamoian, Chief Deputy District Attorney, objects to the absence of the defendant. Court denies the defendant's request and orders that he is to be present during any questions asked by the jury and the reading of the verdict.

Court stands in recess at 10:37 a.m.

At the request of the jury, they are taken to lunch by the sworn deputy at 12:00 p.m.

The jury returns to the juryroom at 1:40 p.m. and with all 12 jurors present, deliberations resume.

At 1:55 p.m., Court receives a request from the jury.

COURT EXHIBIT #43, (REQUEST FROM JURY) IS MARKED FOR IDENTIFICATION.

Court reconvenes at 2:19 p.m. with all parties present, and outside the presence of the jury, Court and counsel take up matters of "Request from jury". Counsel agree that the Court Reporter may enter the juryroom for readback.

The jury is brought into the courtroom at 2:23 p.m. Court inquires about question #1, if they want all of the testimony on 3/8/05. As to question #2, Court refers to the jury instructions.

Court notify's the jury that the weapons and ammo may be seen upon request with the deputy present.

The jury is taken back to the juryroom at 2:26 p.m. for further deliberations.

Court stands in recess at 2:27 p.m.

Court Reporter, Kristi Garcia goes into the juryroom at 2:30 p.m. to begin readback of the requested testimony.

Upon completion of requested readback, Court Reporter Kristi Garcia leaves the juryroom at 3:14 p.m.

At the request of the jury, they take a break at 3:15 p.m.

Upon the return of all 12 jurors, deliberations resume at 3:40 p.m.

At the request of the jury, the jurors leave for the evening at 4:10 p.m. until 9:00 a.m. on 6/6/05.

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

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