

1 CHARLES P. DREILING  
2 PUBLIC DEFENDER  
3 COUNTY OF FRESNO  
4 2220 Tulare Street, Suite 300  
5 Fresno, California 93721  
6 Telephone: (559) 488-3546

7 Peter M. Jones/PD0024  
8 Attorney for Defendant  
9 mk07174.dec

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 IN AND FOR THE COUNTY OF FRESNO

12	THE PEOPLE of the	)	Case No. F04901785-6
13	State of California,	)	
14		)	DECLARATION OF COUNSEL TO
15	Plaintiff,	)	SUPPORT SEALING "DECLARATIONS
16		)	OF EXPERTS TO SUPPORT MOTION
17	vs.	)	TO CONTINUE TRIAL" AND ORDER
18		)	TO SEAL
19	MARCUS WESSON,	)	Date: 8-20-04
20		)	Time: 9:00 a.m. (15 minutes)
21	Defendant.	)	Dept.: 53

22 I, Peter M. Jones, declare as follows:

23 The declarations I am submitting are made by retained experts whose  
24 communications with counsel are confidential and privileged.

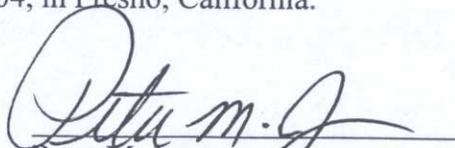
- 25 1. There exists a overriding interests that overcome the right of public access  
26 to the record: Effective assistance of counsel and confidential  
27 communication with retained experts.
- 28 2. This overriding interest supports sealing the declarations contained in the  
attached sealed envelope.
3. A substantial probability exists that the overriding interest will be  
prejudiced if the record is not sealed.
4. The proposed sealing is narrowly tailored.
5. No less restrictive means exist to achieve the overriding interest.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Public disclosure of these declarations would violate my ethical duty to effectively assist Mr. Wesson.

I declare under penalty of perjury that this declaration is true and correct, except as to those matters alleged on information and belief, and as to those matters, I believe them to be true.

Dated this 17 day of August, 2004, in Fresno, California.

  
Peter M. Jones  
Chief Defense Attorney

# **NOTICE**

**ONLY PART OF THE DOCUMENT  
FILED WAS APPROVED FOR FILING  
ON THE COURT'S WEB SITE. THE  
ENTIRE DOCUMENT IS AVAILABLE  
FOR INSPECTION AND COPYING (AT  
THE REQUESTING PARTY'S  
EXPENSE) IN THE CRIMINAL  
CLERK'S OFFICE, B1 LEVEL OF THE  
CENTRAL COURTHOUSE.  
TELEPHONE: 559-488-1682.**